



# California Regulatory Notice Register

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JUNE 18, 2010

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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## PROPOSED ACTION ON REGULATIONS

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### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the proposed/amended conflict-of-interest codes of the following:

#### CONFLICT-OF-INTEREST CODES

##### ADOPTION

MULTI-COUNTY: Carden Virtual Academy of  
California  
Kings River Watershed Coalition  
Authority

##### AMENDMENT

MULTI-COUNTY: Calimesa Joint Unified School  
District  
Elsinore Valley Municipal Water  
District

A written comment period has been established commencing on **June 18, 2010**, and closing on **August 2, 2010**. Written comments should be directed to the Fair Political Practices Commission, Attention **Cynthia Fisher**, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Sec-

tion 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than August 2, 2010. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

#### COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

#### EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

#### AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the proposed code(s) and approve it as revised, or return the proposed code(s) for revision and re-submission.

#### REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform. Act and amend their codes when change is necessitated by changed circumstances.

#### CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Cynthia Fisher, Fair

Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

#### AVAILABILITY OF PROPOSED CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to **Cynthia Fisher**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

### TITLE 4. CALIFORNIA GAMBLING CONTROL COMMISSION

#### NOTICE OF PROPOSED REGULATORY ACTION REMOTE CALLER BINGO CGCC-GCA-2009-02-C

**NOTICE IS HEREBY GIVEN** that the California Gambling Control Commission (Commission) is proposing to take the action described below in the Informative Digest and Policy Statement Overview. Any interested person, or his or her authorized representative, may present statements or arguments orally or in writing relevant to the action proposed at a public hearing to be held at 10:00 a.m. on August 19, 2010, at 2399 Gateway Oaks Drive, First Floor Hearing Room, Sacramento, CA 95833-4231.

#### WRITTEN COMMENT PERIOD

Written comments relevant to the proposed regulatory action, including those sent by mail, facsimile, or e-mail, may be submitted to the commission at any time during the public comment period, or may be received by the Commission at the above referenced hearing. To be eligible for the Commission's consideration, all written comments must be **received at its office no later than 5:00 p.m. on August 2, 2010**. Written comments should be directed to one of the individuals designated in this notice as a contact person. **Comments sent to persons and/or addresses other than those specified under Contact Persons, or received after the date and time specified above, will be included in the record of this proposed regulatory action, but will not be summarized or responded to regardless of the manner of transmission.**

#### ADOPTION OF PROPOSED ACTION

After the close of the public comment period, the Commission, upon its own motion or at the instance of any interested party, may thereafter formally adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit oral or written testimony related to this proposal or who have requested notification of any changes to the proposal.

#### AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 19850.5 and 19850.6 of the Business and Professions Code, and Sections 326.3 and 326.5, Penal Code; and to implement, interpret or make specific Sections 19850.5 and, 19850.6 of the Business and Professions Code, and Sections 326.3 and 326.5 of the Penal Code; the Commission is proposing to adopt the following changes to Chapter 8 of Division 18 of Title 4 of the California Code of Regulations (CCR):

#### INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

##### INTRODUCTION:

Senate Bill 1369 (SB1369)<sup>1</sup> authorized "remote caller bingo" (RCB) as a game that would allow specific nonprofit organizations to use audio or video technology to remotely link designated in-state facilities to conduct live bingo games, if authorized pursuant to a local ordinance and approved by the Commission. The Commission is required to regulate RCB, including but not limited to, the development of regulations for licensure and permitting of persons who conduct RCB games and who manufacture and distribute RCB equipment, supplies, and services. As part of SB 1369, the Commission was also tasked with approving bingo card-minding devices (CMDs) along with licensing the manufacturers and distributors of the CMDs.

Business and Professions Code section 19850.6 directs the Commission to adopt appropriate emergency regulations as soon as possible, with the initial regulatory action to be filed with the Office of Administrative Law (OAL) by May 1, 2009. The initial regulatory action for the interim approval of bingo CMDs was filed with OAL on December 18, 2008<sup>2</sup> and became effective January 1, 2009. The emergency adoption of Sec-

<sup>1</sup> Chapter 748, Statutes of 2008, Cedilla and Battin, et al.

<sup>2</sup> See OAL File No. 2008-1218-06 E

tions 12480, 12492, 12494, 12498, 12499, 12501, 12502, and 12504 was approved by OAL on April 24, 2009<sup>3</sup> and became effective on that date. The emergency adoption of Sections 12488 and 12508 was approved by OAL on May 18, 2009<sup>4</sup> and became effective on that date.

**SPECIFIC PROPOSAL:**

Pursuant to its authority under Penal Code Sections 326.3, 326.4, 326.45, and 326.5, the California Gambling Control Commission (Commission) is proposing to amend and adopt regulations pertaining to RCB games. The intent of these proposed regulations is to amend and make the previously adopted emergency regulations permanent. The proposed amendments were found to be necessary to provide clarity, consistency, and technical clean-up due to recent statutory changes. In addition, the Commission is proposing to create a separate interim license type for manufacturers and distributors of bingo CMDs from those businesses that provide bingo equipment, supplies, and services (i.e., vendors) to nonprofit organizations conducting RCB games.

**EXISTING LAW:**

Penal Code section 326.3, subdivision (b), specifies the requirements that nonprofit organizations must meet in order to be eligible to conduct RCB. Subdivision (q) requires that any person who conducts RCB games and any person who directly or indirectly manufactures or distributes supplies, devices, services, or equipment used in RCB games must be licensed by the Commission. In addition, subdivision (r) specifies that persons employed by an authorized organization performing “administrative,” “managerial,” “technical,” “financial,” and “security” duties must have work permits issued pursuant to section 19805 of the Business and Professions Code.

CCR, Section 12480, currently provides the definitions that govern the construction of Chapter 8.

CCR, Section 12488, currently establishes requirements for the approval of RCB equipment.

CCR, Sections 12492, 12494, and 12496 currently establish the process to obtain an interim license, criteria for interim license denial, and reporting of a change of business location pertaining to manufacturers and distributors of bingo equipment.

CCR, Sections 12498, 12499, 12501, 12502, 12504, and 12508 relate to RCB and currently establish the process to obtain an interim license or interim work permit, criteria for denial of an interim license or interim work permit, and the requirements for an organization to become authorized to conduct RCB games.

**EFFECT OF REGULATORY ACTION:**

This proposal makes permanent CCR Sections 12480, 12492, 12494, 12496, 12498, 12499, 12501, and 12502, adopted as an emergency regulation effective April 24, 2009. This proposal also makes permanent CCR Sections 12488 and 12508, adopted as an emergency regulation effective May 18, 2009. This proposal amends and makes permanent the above-mentioned sections as follows:

1. Section 12480 provides the proper references to definitions governing the construction of Chapter 8. Within subsection (b) several amendments are being proposed to provide clarity, to define vendors that provide equipment, supplies, and services relating to RCB, and specifies, where applicable, that an organization may employ an entity to assist with the conduct of RCB games if a written agreement is made.
2. Section 12488 provides the process in which an organization may obtain approval for the use of RCB equipment. This proposal includes a minor amendment which references that any audio and video technology used must be distributed by a licensed vendor.
3. Section 12492 provides an interim approval process for manufacturers and distributors of bingo equipment. This proposal adds a vendor license type that differentiates providers of equipment, supplies, and services relating to RCB and manufacturers and distributors of CMDs.
4. Section 12494 establishes the criteria for interim license denial and applicant disqualification. This proposal would renumber this section to 12493 and does not contain any proposed amendments to the regulation text.
5. Section 12496 establishes the requirement that manufacturers and distributors shall advise the Commission in writing of any new California business locations within 15 days. This proposal adds the vendor license type.
6. Section 12499 establishes initial and renewal interim licenses and conditions thereof. This proposal would renumber the section to 12500 and amends the revision date on the application form. The form contains amendments to provide more clarity and consistency with the proposed changes in the regulation text.
7. Section 12499 establishes the criteria for interim license denial and applicant disqualification. This proposal would renumber this section to 12501 and does not contain any proposed amendments to the regulation text.

<sup>3</sup> See OAL File No. 2009-0414-02 E

<sup>4</sup> See OAL File No. 2009-0508-02 E

8. Section 12501 establishes initial and renewal work permits and conditions thereof. This proposal would renumber the section to 12503, adds language that work permits may be issued by the local governing agency or the Commission and amends the revision date on the application form. The form contains amendments to provide more clarity and consistency with the proposed changes in the regulation text.
9. Section 12502 establishes the criteria for interim work permit denial and applicant disqualification. This proposal would renumber this section to 12504 and does not contain any proposed amendments to the regulation text.
10. Section 12504 establishes the criteria and process that a nonprofit organization must meet in order to become recognized by the Commission as being authorized to conduct RCB. This proposal would renumber this section to 12505 and does not contain any proposed amendments to the regulation text.
11. Section 12508 establishes the requirements of an organization conducting RCB. This proposal revises the title of the section to, "Remote Caller Bingo Requirements" and makes the requirements applicable to vendors providing RCB services by the following amendments:
  - a) Subsection (a) establishes that an organization conducting RCB must be recognized by the Commission
  - b) Subsection (b) establishes that any vendor providing RCB services must be licensed by the Commission
  - c) Subsection (c) establishes that both organizations and vendors providing RCB services must maintain their remote caller bingo records, including how they must be maintained, the length of time, and what the records must contain.
  - d) Subsection (d) establishes that financial records shall be audited by an independent California certified public accountant annually and copies provided to the Commission 120 days after the organization's and vendor's fiscal years.
  - e) Subsection (e) establishes additional requirements that apply solely to the organizations conducting RCB. These requirements remain unchanged from the existing regulation text.
  - f) Subsection (f) establishes the requirement that an organization must provide the Commission with at least 30 days advance

written notice of its intent to conduct RCB games and includes the required information the notice must contain.

## **FISCAL IMPACT ESTIMATES**

### **FISCAL IMPACT ON PUBLIC AGENCIES INCLUDING COSTS OR SAVINGS TO STATE AGENCIES OR COSTS/SAVINGS IN FEDERAL FUNDING TO THE STATE:**

None.

### **NONDISCRETIONARY COST OR SAVINGS IMPOSED UPON LOCAL AGENCIES:**

None.

### **LOCAL MANDATE:**

None.

### **COST TO ANY LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH GOVERNMENT CODE SECTION 17561 REQUIRES REIMBURSEMENT:**

None.

### **IMPACT ON BUSINESS:**

The Commission has made the initial determination that this proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

### **IMPACT ON JOBS/NEW BUSINESSES:**

The Commission has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses, the elimination of jobs or existing businesses, or the expansion of businesses in the State of California.

### **COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS:**

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### **EFFECT ON HOUSING COSTS:**

None.

### **EFFECT ON SMALL BUSINESS:**

The Commission has determined that the proposed regulatory action may affect small businesses if any affected manufacturer, distributor, vendor, or nonprofit organization qualifies as a small business.

Any interested person may present statements in writing or request a hearing and present statements orally relevant to the above determinations.

## **CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code section 11346.5(a)(13), the Commission must determine that

no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action described in this Notice.

#### INITIAL STATEMENT OF REASONS, INFORMATION AND TEXT OF PROPOSAL

The Commission has prepared an Initial Statement of Reasons and the exact language for the proposed action and has available all the information upon which the proposal is based. Copies of the language and of the Initial Statement of Reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Commission at 2399 Gateway Oaks Drive, Suite 220, Sacramento, CA 95833-4231.

#### AVAILABILITY AND LOCATION OF THE RULEMAKING FILE AND THE FINAL STATEMENT OF REASONS

All the information upon which the proposed action is based is contained in the Rulemaking File that will be available for public inspection and copying at the Commission's office throughout the rulemaking process. Arrangements for inspection and/or copying may be made by contacting the backup contact person named below.

Upon its completion, the Final Statement of Reasons will also be available. A copy of the Final Statement of Reasons may be obtained, once it has been prepared, by making a written request to one of the contact persons named below or by accessing the Commission's Web site listed below.

#### CONTACT PERSONS

All comments and inquiries concerning the substance of the proposed action should be directed to the following **primary** contact person:

James B. Allen, Regulatory Actions Manager  
California Gambling Control Commission  
2399 Gateway Oaks Drive, Suite 220,  
Sacramento, CA 95833-4231  
Telephone: (916) 263-4024  
Fax: (916) 263-0499  
E-mail: Jallen@cgcc.ca.gov

Requests for a copy of the Initial Statement of Reasons, proposed text of the regulation, modified text of the regulation, if any, or other technical information upon which the proposed action is based should be directed to the following **backup** contact person:

Shannon George, Associate Governmental Program Analyst  
California Gambling Control Commission  
2399 Gateway Oaks Drive, Suite 220,  
Sacramento, CA 95833-4231  
Telephone: (916) 263-4904  
Fax: (916) 263-0499  
E-mail: [sgeorge@cgcc.ca.gov](mailto:sgeorge@cgcc.ca.gov)

#### WEB SITE ACCESS

Materials regarding this proposed action are also found on the Commission's Web site at [www.cgcc.ca.gov](http://www.cgcc.ca.gov).

### TITLE 5. COMMISSION ON TEACHER CREDENTIALING

#### Division VIII of Title 5 of the California Code of Regulations

#### Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Multiple and Single Subject Teaching Credentials for Out-of- State Credentialed Teachers

#### Notice of Proposed Rulemaking

The Commission on Teacher Credentialing proposes to amend the regulatory action described below after considering all comments, objections and recommendations regarding the proposed action.

#### Public Hearing

A public hearing on the proposed actions will be held:

**August 5, 2010**

**9:00 a.m.**

**Commission on Teacher Credentialing  
1900 Capitol Avenue  
Sacramento, California 95811**

#### Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail on the proposed action. The written comment period closes at 5:00 p.m. on August 2, 2010. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the Commission on Teacher Credentialing, attn. Tammy A. Duggan, 1900 Capitol Avenue, Sacramento, California 95811; or submit an email at [tduggan@ctc.ca.gov](mailto:tduggan@ctc.ca.gov).

Any written comments received 18 days prior to the public hearing will be reproduced by the Commission's

staff for each member of the Commission as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

### Authority and Reference

Pursuant to the authority vested by Section 44225 of the Education Code, and to implement, interpret or make specific Section 44274.2 of the Education Code, the Commission on Teacher Credentialing is proposing amendments to §§80413.3 and 80430.2 of 5 California Code of Regulations.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

### Summary of Existing Laws and Regulations

The proposed amendments to Title 5 of the California Code of Regulations will clarify and interpret the Education Code (EC) sections pertaining to the requirements for out-of-state credentialed teachers seeking Multiple Subject and Single Subject Teaching Credentials in California.

The Title 5 sections referenced in this item (§§80413.3 and 80430.2) were last amended in January 2000. Since that time, the Legislature has passed and the Governors have signed several major pieces of legislation affecting the issuance of California teaching credentials to out-of-state credentialed teachers and Commission staff has been relying on the language provided in statute when determining academic eligibility. However, it has become apparent that Title 5 regulations are required to clarify several requirements listed in EC §44274.2. Especially needed are the definitions for full-time teaching experience, performance evaluations, subject matter competence, and professional level teaching credential, as well as clarification of the induction program and basic skills requirements. The proposed regulations also include the requirement that individuals earn a California English learner authorization to qualify for the clear teaching credential as specified in EC §44274.2.

**Documents Incorporated by Reference:** None.

**Documents Relied Upon in Preparing Regulations:** None.

### Disclosures Regarding the Proposed Actions

The Commission has made the following initial determinations:

*Mandate to local agencies or school districts:* None.

*Other non-discretionary costs or savings imposed upon local agencies:* None.

*Cost or savings to any state agency:* None.

*Cost or savings in federal funding to the state:* None.

*Significant effect on housing costs:* None.

*Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states:* None.

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with section 17500) of the Government Code.

*Cost impacts on a representative private person or business:* The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

*Assessment regarding the creation or elimination of jobs in California [Govt. Code §11346.3(b)]:* The Commission has made an assessment that the proposed amendments to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

*Effect on small businesses:* The Commission has determined that the proposed amendments to the regulations do not affect small businesses. The proposed regulation amendments apply only to the application forms required when individuals apply for credentials, certificates, and permits that authorize service in California's public schools and have no impact on private business.

### Consideration of Alternatives

The Commission must determine that no reasonable alternative considered would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed actions.

### Contact Person/Further Information

General or substantive inquiries concerning the proposed action may be directed to Tammy A. Duggan by telephone at (916) 323-5354 or Tammy A. Duggan, Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, CA 95811. General question inquiries may also be directed to Janet Bankovich at (916) 323-7140 or at the address mentioned in the previous sentence. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. This information is also available on the Commission's website at [www.ctc.ca.gov](http://www.ctc.ca.gov). In addition, all the information on which this proposal is based is available for inspection and copying.

### Availability of Statement of Reasons and Text of Proposed Regulations

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice Register, the rule-

making file consists of this notice, the proposed text of regulations, and the initial statement of reasons.

### Modification of Proposed Action

If the Commission proposes to modify the actions hereby proposed, the modifications (other than non-substantive or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

### Availability of Final Statement of Reasons

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rule-making package after the public hearing. When available, it will be placed on the Commission's website at [www.ctc.ca.gov](http://www.ctc.ca.gov) or you may obtain a copy by contacting Tammy A. Duggan at (916) 323-5354.

### Availability of Documents on the Internet

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations in underline and strikeout may be accessed through the Commission's website at [www.ctc.ca.gov](http://www.ctc.ca.gov).

## TITLE 13. CALIFORNIA HIGHWAY PATROL

### DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

#### NOTICE OF PROPOSED REGULATORY ACTION

TITLE 13, CALIFORNIA CODE OF REGULATIONS,  
DIVISION 2, CHAPTER 6.5  
AMEND ARTICLE 7.5, SECTION 1239

#### COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD OUT-OF-SERVICE CRITERIA (CHP-R-09-13)

The California Highway Patrol (CHP) proposes to adopt by reference the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria, April 1, 2010, Edition, in Title 13, California Code of Regulations (13 CCR). The current regulation incorporates by reference the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria, April 1, 2008, Edition.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Section 34501(a)(1) of the California, Vehicle Code (CVC) authorizes the CHP to adopt reasonable rules and regulations which, in the judgment of the Department, are designed to promote the safe operation of vehicles described in Section 34500 CVC. The CHP's authority to adopt regulations includes, but is not limited to, controlled substances and alcohol testing of drivers by motor carriers, drivers hours-of-service qualifications, equipment, fuel containers, fuel operations, inspection, maintenance, record keeping, accident reports and drawbridges. Section 2402 CVC provides the Commissioner with the authority to "make and enforce such rules and regulations as may be necessary to carry out the duties of the Department" and Section 2410 CVC provides the authority for the CHP to place vehicles out of service (Attorney General's Opinion NS 2520) in order to "ensure safety." Current regulations, adopt by reference the Commercial Vehicle Safety Alliance North America Standard Out-of-Service Criteria, April 1, 2008, Edition, which apply to those vehicles listed in Sections 260, 322, 15210, and 34500 CVC.

The intent of these regulations is to adopt specific uniform criteria for determining whether or not a vehicle and/or driver, inspected by an authorized representative of the CHP, is in such an unsafe condition that they are likely to constitute a hazard on a highway. These regulations will incorporate by reference specified portions of the standards contained within the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria, April 1, 2010, Edition. Adoption of these criteria will continue to provide consistency throughout California, with neighboring states, Canada and Mexico, and provide a regulatory basis for enforcement efforts as they relate to commercial vehicle out-of-service criteria.

### PUBLIC COMMENTS

Any interested person may submit written comments on this proposed action via facsimile at (916) 322-3154, by email to [cvsregs@chp.ca.gov](mailto:cvsregs@chp.ca.gov), or by writing to:

CHP, Enforcement and Planning Division  
Commercial Vehicle Section  
ATTN: Officer Ron Leimer  
P.O. Box 942898  
Sacramento, CA 94298-0001

Written comments will be accepted until 5:00 p.m., on August 2, 2010.

No public hearing has been scheduled. If any person desires a public hearing, a written request must be re-

ceived by the CHP, Commercial Vehicle Section, no later than 15 days prior to the close of the written comment period.

#### AVAILABILITY OF INFORMATION

The CHP has available for public review an initial statement of reasons for the proposed regulatory action, the information upon which this action is based (the rulemaking file), and the proposed regulation text. Requests to review or receive copies of this information should be directed to the CHP at the above address, by facsimile at (916) 322-3154 or by calling the CHP, Commercial Vehicle Section, at (916) 843-3400. All requests for information should include the following information: the title of the rulemaking package, the requester's name, proper mailing address (including city, state, and zip code), and a daytime telephone number in case the requestor's information is incomplete or illegible.

The rulemaking file is available for inspection at the CHP, Commercial Vehicle Section, 601 North 7th Street, Sacramento, California 95811. Interested parties are advised to call for an appointment.

All documents regarding the proposed action are also available through our web site at [www.chp.ca.gov/regulations](http://www.chp.ca.gov/regulations).

Any person desiring to obtain a copy of the adopted text and a final statement of reasons may request them at the above noted address. Copies will also be posted on our web site.

#### CONTACT PERSON

Any inquiries concerning the written materials pertaining to the proposed regulations, or questions regarding the substance of the proposed regulations should be directed to Officer Ron Leimer or Captain Steve Dowling, CHP, Commercial Vehicle Section, at (916) 843-3400.

#### ADOPTION OF PROPOSED REGULATIONS

After consideration of public comments, the CHP may adopt the proposal substantially as set forth without further notice. If the proposal is modified prior to adoption and the change is not solely grammatical or non-substantive in nature, the full text of the resulting regulation, with the changes clearly indicated, will be made available to the public for at least 15 days prior to the date of adoption.

#### FISCAL AND ECONOMIC IMPACT

The CHP has made an initial determination that this proposed regulatory action: (1) will have no effect on

housing costs; (2) will not impose any new mandate upon local agencies or school districts; (3) involves no nondiscretionary cost or savings to any local agency, no cost to any local agency or school district for which Government Code Sections 17500-17630 require reimbursement, no cost or savings to any state agency, nor costs or savings in federal funding to the state; (4) will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California; and (5) will not have a significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states. The regulated community is encouraged to respond during the comment period of this regulatory process if significant impacts are identified.

#### COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The CHP is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### EFFECT ON SMALL BUSINESSES

The CHP has determined that the proposed regulatory action has no effect on small businesses. Changes to the application of the regulation are not substantive and bring the regulation in conformance with existing statute. Minor addition and changes to the out-of-service criteria are clarifying in nature and all are within existing requirements for industry.

#### ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the CHP must determine that no reasonable alternative considered by the CHP, or that has otherwise been identified and brought to the attention of the CHP, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. The CHP invites interested parties to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

#### AUTHORITY

This regulatory action is being taken pursuant to Sections 2402, 2410, 31401, and 34501(a) CVC.

## REFERENCE

This action implements, interprets, or makes specific Sections 260, 322, 2402, 2410, 12500, 12502, 12515(b), 14603, 15210, 15250, 15275, 15278, 23152, 24002, 24400, 24252, 24600, 24603, 24604, 24952, 27154, 27155, 27465, 27501, 27903, 29001, 29002, 29003, 29004, 31401, 34500, 34501, 34506, and 34510 CVC.

## TITLE 14. FISH AND GAME COMMISSION

### Notice of Proposed Changes in Regulations

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 215 and 220, Fish and Game Code and to implement, interpret or make specific sections 200, 202, 205, 206, 215 and 220 of said Code, proposes to amend Section 29.80, Title 14, California Code of Regulations, relating to Gear Restrictions.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Under current regulation (Section 29.80(b), Title 14, CCR) spiny lobster and crab may be taken by "baited" hoop nets. Not more than five baited hoop nets may be used by a person, not to exceed a total of 10 baited hoop nets from any vessel. The department proposes removing the word "baited" so that anyone who has more than five hoop nets in their possession while fishing; or more than 10 hoop nets on a vessel are in violation of the law without determining whether they were baited.

The department is also proposing two definitions of a hoop net as indicated in subsection 29.80(b)(1). The definitions encompass the traditional style hoop net that lies flat on the ocean floor as well as the new style hoop net that has the second smaller ring supported above the ocean floor.

It is recommended that these regulation changes become effective April 1, 2011. This will allow the department to inform the public of the change in the regulation and provide a timely transition for those needing to comply with the new regulation.

Traps are illegal to use when taking lobsters. These new hoop net definitions will assist wardens and the public in determining if a device used to take lobsters is considered a trap or a hoop net.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this

action at a hearing to be held in the Sierra Room, Lake Natoma Inn, 702 Gold Lake Drive, Folsom, California, on June 24, 2010, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS FURTHER GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Hotel Mar Monte, 1111 E. Cabrillo Blvd., Santa Barbara, California, on August 5, 2010, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before August 2, 2010 at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). **Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on August 2, 2010. All oral comments must be received no later than August 5, 2010 at the hearing in Santa Barbara, California. E-mail comments sent to any e-mail address other than [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov) does not guarantee the comments' inclusion in the rulemaking package.** If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout–underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Sherrie Fonbue-na at the preceding address or phone number. **Mr. Rob Allen, Enforcement Branch, Department of Fish and Game, (916) 651-9953 has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

### Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period. Any person

interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

**Impact of Regulatory Action**

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action allows for a better definition of gear restrictions and enforcement, and is economically neutral to business.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None

- (c) Cost Impacts on a Representative Private Person or Business:

The proposed action may have a minor economic impact on those who currently sell or possess the new style hoop net which has the ring that is held above the ocean floor when deployed. However, the measurements used to develop the wording for the size of the hoop nets was developed using existing style hoop net measurements.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None

- (f) Programs mandated on Local Agencies or School Districts:

None

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None

- (h) Effect on Housing Costs:

None

**Effect on Small Business**

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

**Consideration of Alternatives**

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective, and less burdensome to affected private persons than the proposed action.

**TITLE 14. FISH AND GAME  
COMMISSION**

**Notice of Proposed Changes in Regulations**

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 203, and 355, of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 203, 203.1, 215, 220, 355 and 356 of said Code, proposes to amend Section 300, Title 14, California Code of Regulations, relating to upland game bird hunting regulations.

**INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW**

The existing regulations provide a general hunting season for taking resident upland game birds. Subsection 300(a)(1)(D) provides for general season hunting of sage grouse in Lassen, Mono and Inyo counties. A limited number of permits are issued annually.

The proposed regulation is intended to reduce any potential impact hunting may have on these populations by providing options for the Fish and Game Commission to select the number of permits issued for greater sage grouse.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Lake Natoma Inn, Sierra Ballroom, 702 Gold Lake Drive, Folsom, California, on Thursday, June 24, 2010, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Hotel Mar Monte, 1111 E. Cabrillo Boulevard, Santa Barbara,

California, on Thursday, August 5, 2010, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before July 28, 2010 at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on August 2, 2010. All comments must be received no later than August 5, 2010, at the hearing in Santa Barbara, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Sheri Tiemann at the preceding address or phone number. **Dr. Eric Loft, Wildlife Branch, Department of Fish and Game, phone (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

#### Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address

above when it has been received from the agency program staff.

#### **Impact of Regulatory Action**

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The Department does not believe that the proposed action will have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

The Department does not believe that the proposed action will have a significant adverse economic impact directly affecting the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California.

- (c) Cost Impacts on a Representative Private Person or Business:

The Department does not believe that the proposed action will have a significant adverse affect on costs for private persons or businesses.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs Mandated on Local Agencies or School Districts:

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:

None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

## TITLE 14. FISH AND GAME COMMISSION

### Notice of Proposed Changes in Regulations

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 202 and 355 of the Fish and Game Code and to implement, interpret or make specific sections 202, 355, 356 and 3005 of said Code, proposes to amend sections 502 and 507, Title 14, California Code of Regulations, relating to waterfowl hunting, and provisions related to the take of migratory game birds.

### SECTION 502 INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and establish daily bag and possession limits. In addition to the four proposals contained herein, the U.S. Fish and Wildlife Service (Service), after analysis of

waterfowl population survey and other data, may change federal regulations; if this occurs, changes in existing and proposed regulations in California may be necessary. Changes in federal regulations for season opening and closing dates, elimination or creation of special management areas, season length, and daily bag limits for migratory birds may occur. Items 1 and 2 require changes in the federal regulations and must be approved by the Pacific Flyway Council at its meeting on July 23, 2010. Item 4 (including the table below) provides a proposed range of season dates and bag limits for waterfowl. The Service will consider recommendations from the Flyway Council at their meeting on July 29, 2010. At this time, the California Waterfowl Breeding Population Survey has not been conducted and the Service has not established federal regulation “frameworks” which will occur in August after the analysis of current waterfowl population survey, other data, input from the Flyway Councils and the public. Also, minor editorial changes are proposed to clarify and simplify the regulations and to comply with existing federal frameworks.

The Department’s proposals are as follows:

1. Increase the season length to 105 days for Large Canada geese in the Balance of State Zone, excluding the North Coast Special Management Area, and split the season into two segments.
2. Increase the Small Canada goose daily bag limit to 2–6 per day in the Northeastern Zone.
3. Open the Northern Brant and Balance of State Brant Special Management Areas on November 7.
4. Provide a range of waterfowl hunting season lengths (which may be split into two segments) between 38 and 107 days (including 2 youth waterfowl hunt days) for all hunting methods. A range of daily bag limits is also given for ducks in all zones. Federal regulations require that California’s hunting regulations conform to those of Arizona in the Colorado River Zone. See table below for season and bag limit ranges.

<b>Summary of Proposed Waterfowl Hunting Regulations</b>			
<b>AREA</b>	<b>SPECIES</b>	<b>SEASONS</b>	<b>DAILY BAG &amp; POSSESSION LIMITS</b>
Statewide	Coots & Moorhens	Concurrent w/duck season	25/day. 25 in possession
<b>Northeastern Zone</b> <i>Season may be split for Ducks, Pintail, Canvasback and Scaup.</i>	Ducks	Between 38 & 105 days	4-7/day, which may include: 3-7 mallards but no more than 1-2 females, 0-3 pintail, 0-3 canvasback, 0-2 redheads, 0-7 scaup. Possession limit double the daily bag.
	Pintail Canvasback Scaup	Between 0 & 105 days	
	Geese	100 days	8/ day, which may include: 6 white geese, 6 dark geese no more than 4 white-fronts, 2 Large Canada geese, 1-6 Small Canada goose. Possession limit double the daily bag.
<b>Southern San Joaquin Valley Zone</b> <i>Season may be split for Ducks, Pintail, Canvasback and Scaup.</i>	Ducks	Between 38 & 105 days	4-7/day, which may include: 3-7 mallards no more than 1-2 females, 0-3 pintail, 0-3 canvasback, 0-2 redheads, 0-7 scaup. Possession limit double the daily bag.
	Pintail Canvasback Scaup	Between 0 & 105 days	
	Geese	100 days	8/ day, which may include: 6 white geese, 6 dark geese no more than 4 white-fronted geese. Possession limit double the daily bag.
<b>Colorado River Zone</b>	Ducks	Between 38 & 105 days	4-7/day, which may include: 3-7 mallards no more than 1-2 hen mallards or Mexican-like ducks, 0-3 pintail, 0-3 canvasback, 0-2 redheads, 0-7 scaup. Possession limit double the daily bag.
	Pintail Canvasback Scaup	Between 0 & 105 days	
	Geese	Between 101 -105 days	6/ day, up to 6 white geese, up to 3 dark geese. Possession limit double the daily bag.
<b>Southern California Zone</b> <i>Season may be split for Ducks, Pintail, Canvasback and Scaup.</i>	Ducks	Between 38 & 105 days	4-7/day, which may include: 3-7 mallards no more than 1-2 females, 0-3 pintail, 0-3 canvasback, 0-2 redheads, 0-7 scaup. Possession limit double the daily bag.
	Pintail Canvasback Scaup	Between 0 & 105 days	
	Geese	100 days	8/day, up to 6 white geese, up to 3 dark geese. Possession limit double the daily bag.
<b>Balance of State Zone</b> <i>Season may be split for Ducks, Pintail, Canvasback, Scaup and Canada Geese.</i>	Ducks	Between 38 & 105 days	4-7/day, which may include: 3-7 mallards no more than 1-2 females, 0-3 pintail, 0-3 canvasback, 0-2 redheads, 0-7 scaup. Possession limit double the daily bag.
	Pintail Canvasback Scaup	Between 0 & 105 days	
	Geese	100 days (Large Canada geese 100-105 days)	8/day, which may include: 6 white geese, 6 dark geese no more than 4 white-fronted geese. Possession limit double the daily bag.
<b>SPECIAL AREA</b>	<b>SPECIES</b>	<b>SEASON</b>	<b>DAILY BAG &amp; POSSESSION LIMITS</b>
North Coast <i>Season may be split</i>	All Canada Geese	105 days except for Large Canada geese which can not exceed 100 days or extend beyond the last Sunday in January.	6/day, only 1 may be a Large Canada goose. Possession limit double the daily bag.
Humboldt Bay South Spit	All species	Closed during brant season	
Sacramento Valley	White-fronted geese	Open concurrently with general goose season through Dec 14	2/day. Possession limit double the daily bag.
Morro Bay	All species	Open in designated areas only	Waterfowl season opens concurrently with brant season.
Martis Creek Lake	All species	Closed until Nov 16	
Northern Brant	Black Brant	Between 0 & 30 days, must end by Dec 15	2/day. Possession limit double the daily bag.
Balance of State Brant	Black Brant	Between 0 & 30 days, must end by Dec 15	2/day. Possession limit double the daily bag.
Imperial County <i>Season may be split</i>	White Geese	102 days	6/day. Possession limit double the daily bag.

YOUTH WATERFOWL HUNTING DAYS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	The Saturday fourteen days before the opening of waterfowl season extending for 2 days.	Same as regular season
Southern San Joaquin Valley Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Southern California Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Colorado River Zone		The Saturday following the closing for waterfowl season extending for 2 days.	
Balance of State Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
FALCONRY OF DUCKS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	Between 38 and 105 days	3/ day, possession limit 6
Balance of State Zone		Between 38 and 107 day	
Southern San Joaquin Valley Zone		Between 38 and 107 days	
Southern California Zone		Between 38 and 107 days	
Colorado River Zone	Ducks only	Between 38 and 107 days	

## SECTION 507 INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Subsection 507(c) of Title 14, CCR, prohibits the use of electronic or “mechanically operated spinning blade devices. . . or spinning wing decoys when attempting to take waterfowl between the start of the season and November 30th.” The terms “mechanical” and “spinning blade devices” have caused confusion for hunters, as well as enforcement, as new decoys have been developed. “Mechanical” can include man-powered devices e.g. pull chords, spinning reels etc. “Spinning blades” include propellers below the surface of the water that are common among waterfowl decoys, but clearly not the target of the prohibition. Even the term “Spinning” is not clear as some decoys have wings that do not spin completely around an axis but pivot back and forth. The wording of the subsection dealing with spinning wing devices needs to be simplified so both enforcement personnel and the public understand the gear restriction.

The Department is proposing that the Commission clarify that the prohibited devices are devices that are either electronically-powered, or activated by anything other than natural wind, to directly or indirectly cause rotation of decoy wings or blades that simulate wings.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Lake Natoma Inn, Sierra Ballroom, 702 Gold Lake Drive, Folsom,

California, on Thursday, June 24, 2010, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Hotel Mar Monte, 1111 East Cabrillo Blvd., Santa Barbara, California, on Thursday, August 5, 2010, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before July 30, 2010 at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). **Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on August 2, 2010. All comments must be received no later than August 5, 2010 at the hearing in Santa Barbara, CA.** If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative. John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Sherrie Fonbue-

na at the preceding address or phone number. **Dr. Eric Loft, Chief, Wildlife Branch, Department of Fish and Game, phone (916) 445-3406, and Rob Allen, Assistant Chief, Enforcement Branch, phone (916) 653-4094, have been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

#### Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

#### Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Section 502: The proposed regulations are intended to provide additional recreational opportunity to the public. The response is expected to be minor in nature.

Section 507: This proposal is a clarification in language only and does not prohibit any current legal devices.

- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business:  
The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

#### Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

#### Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

## **TITLE 16. BOARD OF OPTOMETRY**

**NOTICE IS HEREBY GIVEN** that the Board of Optometry (hereafter "Board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments in writing relevant to the action proposed. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice must be received by the Board at its office not later than 5:00 p.m. on August 2, 2010 or must be received by the Board at the hearing.

A hearing in this matter has been scheduled for August 2, 2010 from 10:00 a.m. to 12:00 p.m., in the Yosemite Room, at 2420 Del Paso Road, Sacramento,

California 95834. All interested parties will be heard at that time.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text with the exception of technical or grammatical changes. The full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written testimony related to this proposal or who have requested notification of any changes to the proposal.

**Authority and Reference:** Pursuant to the authority vested by Sections 3025, 3041.2, 3044, 3045, 3053, 3054, 3057, 3078, 3152, and 3163 of the Business and Professions Code, and to implement, interpret or make specific Sections 3041, 3041.2, 3044, 3045, 3053, 3054, 3057, 3078, 3152, and 3163 of said Code, the Board of Optometry is considering changes to Division 15 of Title 16 of the California Code of Regulations as follows:

#### INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Pursuant to Business and Professions Code (BPC) section 3025 the Board may promulgate rules and regulations governing procedures of the Board, the admission of applicants for examination for certificates of registration as optometrists, and the practice of optometry. The Board is proposing the following:

Amend Section 1518. Fictitious or Group Names — To update sub-section (a) of the regulation by correcting the permit fee required to obtain a fictitious name permit from \$10 to \$50. Also to clarify that a permit is to be renewed annually on January 31 and that failure to renew in a timely manner will result in a \$25 delinquency fee.

Amend Section 1523. Licensure and Examination Requirements — To edit all sub-sections of the regulation for grammatical and style purposes. Also updates and clarifies information regarding licensure and examination requirements such as outdated forms incorporated by reference and name changes to exam titles.

Amend Section 1531. Licensure Examination — To edit all sub-sections of the regulation for grammatical and style purposes. Also updates and clarifies information regarding the Board's licensure examinations.

Amend Section 1532. Re-Examination — To update and clarify information regarding additional re-examination of sections of the national examination and the Board's laws and regulations examination.

Amend Section 1533. Re-Scoring of Examination Papers — To edit the title of the regulation to "Re-Scoring of California Laws and Regulations Examination Papers" in order to specify the re-scoring of the Board's California Laws and Regulations Examination since the national exam is handled by the National Board of Examiners in Optometry.

Amend Section 1561. Topical Pharmaceutical Agents Usage — Purpose and Requirements — To reflect the current requirements for the usage of topical pharmaceutical agents. This regulation has not been updated since 1989 and the optometric scope of practice and education provided today far surpasses what this regulation currently requires.

#### FORMS INCORPORATED BY REFERENCE

Application for Licensure as an Optometrist, Form 39A-1, Rev. 7-09.

#### FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Non-discretionary Cost/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500-17630 Require Reimbursement: None

Business Impact:

The Board of Optometry has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

#### AND

The following studies/relevant data were relied upon in making the above determination: None

Impact on Jobs/New Businesses:

The Board of Optometry has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

1518

The Board of Optometry has determined that the proposed amendments of this regulation would have no effect on small businesses. The proposed amendments to the regulation are for clean-up purposes only and to clarify what is required of Fictitious Name holders.

1523

The Board of Optometry has determined that the proposed amendments of this regulation would have no effect on small businesses. The proposed amendments to the regulation are for clean-up purposes only and to clarify what is required of applicants.

1531

The Board of Optometry has determined that the proposed amendments of this regulation would have no effect on small businesses. The proposed amendments to the regulation are for clean-up purposes only and to clarify for applicants what the licensure examinations consist of.

1532

The Board of Optometry has determined that the proposed amendments of this regulation would have no effect on small businesses. The proposed amendments to the regulation are for clean-up purposes only and to clarify for applicants what would occur if an examination is not passed after five years. The addition of the clinical skills section of the national exam is necessary for the protection of the public, the Board's priority. An individual who cannot pass the national examination, which tests entry level knowledge and skills in the practice of optometry, especially after five years, should be re-tested as fully as possible to ensure that the Board is licensing a competent individual.

1533

The Board of Optometry has determined that the proposed amendments of this regulation would have no effect on small businesses. The proposed amendments are updating the regulation to inform applicants that the Board only has the authority to re-score its California Laws and Regulations Examination, not portions of the NBEO. That is the NBEO's responsibility, which was given to them by the Board in 1999.

1561

The Board of Optometry has determined that the proposed amendments of this regulation would have no effect on small businesses. The proposed amendments to the regulation are for clean-up purposes only and to make the regulation's information current.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposal described in this notice.

Any interested person may present written statements relevant to the above determinations to the Board of Optometry at the address referred to below.

INITIAL STATEMENT OF REASONS  
AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board of Optometry at 2420 Del Paso Road, Suite 255, Sacramento, California 95834, or from the Board of Optometry web-site at [www.optometry.ca.gov](http://www.optometry.ca.gov).

AVAILABILITY AND LOCATION OF  
THE FINAL STATEMENT OF REASONS  
AND RULEMAKING FILE

All the information upon which the proposed regulation is based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the Web-site listed below.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be Addressed to:

Name: Andrea Leiva  
Address: 2420 Del Paso Road, Suite 255  
Sacramento, CA 95834  
Telephone Number: (916) 575-7182  
Fax Number: (916) 575-7292  
E-mail Address: [andrea\\_leiva@dca.ca.gov](mailto:andrea_leiva@dca.ca.gov)

The backup contact person is:

Name: Mona Maggio  
Executive Officer  
Address: 2420 Del Paso Road, Suite 255  
Sacramento, CA 95834  
Telephone Number: (916) 575-7176  
Fax Number: (916) 575-7292  
E-mail Address: mona\_maggio@dca.ca.gov

Optometry Board web-site access: Information regarding this proposal can be found at [www.optometry.ca.gov](http://www.optometry.ca.gov), click on "Laws and Regulations", then "Proposed Regulations".

## **TITLE 24. BUILDING STANDARDS COMMISSION**

### **NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE**

### **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) REGARDING THE 2007 AND 2010 CALIFORNIA EXISTING BUILDING CODE (CEBC) CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 10, APPENDIX CHAPTER A3 (HCD EF 02/10)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Housing and Community Development (HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 10. HCD is proposing building standards related to the International Existing Building Code (IEBC).

This rulemaking action concerns Appendix Chapter A3 "Prescriptive Provisions for Seismic Strengthening of Cripple Walls and Sill Plate Anchorage of Light, Wood-Frame Residential Buildings".

### **PUBLIC COMMENT PERIOD**

A public hearing has not been scheduled; however, written comments will be accepted from **June 18, 2010**, until **5:00 p.m. on August 2, 2010**. Please address your comments to:

**California Building Standards Commission,  
2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833  
Attention: Dave Walls, Executive Director**

Written comments may also be faxed to (916) 263-0959 or e-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period that a public hearing be held.

### **POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS**

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). The CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE: To be notified of any modifications, you must submit written and/or oral comments or request that you be notified of any modifications.**

### **AUTHORITY AND REFERENCE**

The CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5. The purpose of these building standards is to implement, interpret and make specific the provisions of Health and Safety Code Sections 17922 and 18941.7. HCD is proposing this regulatory action based on Health and Safety Code Sections 17040, 17921, 17922 and 19990.

### **INFORMATIVE DIGEST**

#### **Summary of Existing Laws**

Existing state law governs the erection, reconstruction, movement, enlargement, conversion, alteration, repair, removal, demolition or arrangement of apartment houses, hotels and dwellings, including accessory buildings, facilities and uses thereto.

Additionally, current state law requires the building department of every city, county and city and county to enforce regulations published in the California Building Standards Code, as well as other rules and regulations promulgated by HCD.

#### **Summary of Existing Regulations**

There are no existing building standards pertaining to this regulatory action contained in the 2007 and 2010 California Existing Building Code (CEBC).

The Department of Housing and Community Development (HCD) has historically adopted model building codes that provide the latest seismic construction requirements for residential structures in areas more prone to seismic activity (identified by Seismic Design Categories.) However, these building codes apply to new construction and do not address retrofit or building modification to prevent comprehensive structural failures in existing structures.

Currently, the California Code of Regulations, Title 24, Part 10, CEBC, only adopts provisions for seismic strengthening of unreinforced masonry bearing wall buildings. Another vulnerable component of existing older homes is the presence of cripple walls or short walls that rest on foundations and support floors and exterior walls. These walls frequently do not include additional bracing and are prone to shifting during an earthquake. This can result in severe damage to the home and increased potential of injury or death to the occupants.

Therefore, it is important that California adopt the most current model code provisions addressing existing residential structures that would provide greater seismic protection to the public.

#### Summary of Effect

This regulatory action makes critically needed changes to California building standards pertaining to seismic strengthening of cripple wall and sill plate anchorage in light wood-frame residential buildings. HCD proposes the adoption of Appendix Chapter A3 to provide prescriptive standards to address seismic strengthening of cripple wall and sill plate anchorage in light wood-frame residential buildings. Adoption of the provisions in Appendix Chapter A3 will provide consistent building standards on a statewide basis that address retrofit of cripple walls, provide a lower cost option for local agency adoption and implementation, and present a uniform set of requirements when programs are reviewed or audited for federal, state or local funding opportunities. Similar to other building standards, local agencies have the ability to require more stringent or alternate requirements as established in statute.

An in-depth discussion of the effect of the amendments may be found in the Initial Statement of Reasons.

#### Comparable Federal Statute or Regulations

None.

#### Policy Statement Overview

The broad objective of these proposed building standards is summarized as follows:

- ▶ Enhances public safety and welfare.
- ▶ Reduces the risk of earthquake-induced damage to existing wood-frame residential buildings.
- ▶ Reduces the risk of death or injury.

- ▶ Establishes prescriptive state-wide building standards through the adoption of IEBC Appendix Chapter A3.
- ▶ IEBC Appendix Chapter A3 is a nationally developed publication. HCD amendments provide the most up-to-date building standards.
- ▶ Positive cost/benefits
  - Repair or reconstruction costs far exceed the cost of prevention (retrofit).
  - Retrofit homes can qualify for lower insurance premiums or extra insurance benefits.
  - Set prescriptive standards for strengthening that may be approved by the building official without requiring plans or calculations prepared by an architect or engineer.
  - Create Jobs.
  - No cost to develop local standards.
  - Consistent state-wide building standards.
- ▶ Applicable to existing one- and two-family dwellings and townhouses of light-frame wood construction containing one or more of the structural weaknesses specified below.
  - Sill plates or floor framing that are supported directly on the ground without an approved foundation system.
  - A perimeter foundation system that is constructed only of wood posts supported on isolated pad footings.
  - Perimeter foundation systems that are not continuous.
  - A perimeter foundation system that is constructed of unreinforced masonry or stone.
  - Sill plates that are not connected to the foundation or that are connected with less than what is required by the building code.
  - Cripple walls that are not braced in accordance with the requirements of Section A304.4 and Table A3-A, or cripple walls not braced with diagonal sheathing or wood structural panels in accordance with the building code.

#### OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

None.

#### MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or

school districts; and therefore, does not mandate state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

#### ESTIMATE OF COST OR SAVINGS

- A. Cost or Savings to any state agency: Health and Safety Code Section 17921 requires HCD to propose the adoption, amendment or repeal of building standards to the Commission pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5 of the Government Code. Part 2.5 of the Government Code requires state agencies to ensure that regulatory language meets the requirements of clarity and non-duplication. This proposed rulemaking incorporates specific provisions into one location with the California Building Standards Code to meet these requirements. This action will result in a minimal cost to HCD which will be absorbed in the current budget.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: NONE.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: NONE.
- D. Other nondiscretionary cost or savings imposed on local agencies: NONE.
- E. Cost or savings in federal funding to the state: NONE.

Estimate: HCD believes that any additional expenditure resulting from this proposed action will be minimal and will be able to be absorbed within existing budgets and resources.

#### INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

HCD has made an initial determination that the proposed action will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states. (See *Economic Impact of the Proposed California Existing Building Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

#### DECLARATION OF EVIDENCE

HCD has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon

which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit any information, facts or documents either supporting HCD's initial determination or finding to the contrary.

#### FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY OR WELFARE

HCD has made an assessment of the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(c) is not required.

#### COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

HCD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### SMALL BUSINESS EFFECT

HCD has initially determined that a small business may be affected by these proposed regulations. (See *Economic Impact of the Proposed California Existing Building Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

#### ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

HCD has initially assessed whether or not, and to what extent, this proposal will affect the following.

- The creation or elimination of jobs within the State of California.  
**These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.**
- The creation of new businesses or the elimination of existing businesses within the State of California.  
**These regulations will not affect the creation or the elimination of existing business within the State of California.**
- The expansion of businesses currently doing business within the State of California.  
**These regulations will not affect the expansion of businesses currently doing business within the State of California.**

(See *Economic Impact of the Proposed California Existing Building Code Regulations on Private Persons and Businesses in the State of California* in the rule-making file.)

#### INITIAL DETERMINATION OF SIGNIFICANT EFFECT ON HOUSING COSTS

HCD has made an initial determination that this proposal would not have a significant effect on housing costs. The CBSC contact person designated below will make HCD's initial evaluation of the effect of the proposed regulatory action on housing costs available upon request. (See *Economic Impact of the Proposed California Existing Building Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

#### CONSIDERATION OF ALTERNATIVES

HCD must determine that no reasonable alternative considered by HCD, or that has otherwise been identified and brought to the attention of HCD, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### AVAILABILITY OF RULEMAKING DOCUMENTS

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This Notice, the Express Terms and Initial Statement of Reasons can also be accessed from the California Building Standards Commission website at <http://www.bsc.ca.gov>; in addition, the rule-making documents will be posted on HCD's website at <http://www.hcd.ca.gov/codes/shl/t24.html>.

Interested parties may obtain a copy of the Final Statement of Reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website or HCD's website.

#### CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

General questions regarding procedural and administrative issues should be addressed to:

**CBSC Contact:** Jane Taylor, Senior Architect  
**CBSC Back-up:** If the contact person is unavailable, please contact Michael Nearman at the phone number or fax number provided below.  
**CBSC Address:** California Building Standards Commission  
 2525 Natomas Park Drive,  
 Suite 130  
 Sacramento, CA 95833  
**CBSC Telephone:** (916) 263-0916  
**CBSC Fax:** (916) 263-0959  
**CBSC E-mail:** [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov)

#### PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS ON THE PROPOSED BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Shawn Huff, Housing Standards Programs Manager  
 Division of Codes and Standards  
 Department of Housing and Community Development  
 Telephone: (916) 445-9471  
 Fax: (916) 327-4712  
 E-mail: [shuff@hcd.ca.gov](mailto:shuff@hcd.ca.gov)

#### Back-up:

Doug Hensel, Assistant Deputy Director  
 Division of Codes and Standards  
 Department of Housing and Community Development  
 Telephone: (916) 445-9471  
 Fax: (916) 327-4712  
 E-mail: [dhensel@hcd.ca.gov](mailto:dhensel@hcd.ca.gov)

### GENERAL PUBLIC INTEREST

#### DEPARTMENT OF FISH AND GAME

##### Department of Fish and Game — Public Interest Notice

For Publication June 18, 2010  
 CESA CONSISTENCY DETERMINATION  
 REQUEST FOR  
 Gas Lines 131 Repair Project  
 Alameda and Contra Costa Counties  
 2080-2010-018-03

The Department of Fish and Game (Department) received a notice on June 2, 2010 that the Pacific Gas &

Electric Company (PG&E) proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect species protected by the California Endangered Species Act (CESA). This project consists of inspection and repair of 3 sites along the PG&E gas line 131 in Alameda and Contra Costa counties (Project).

Project activities will have adverse temporary effects on 7.35 acres of habitat suitable for the California tiger salamander (*Ambystoma californiense*) and the San Joaquin kit fox (*Vulpes macrotis mutica*). The project could also result in direct mortality, injury, or harassment of individual San Joaquin kit fox and juvenile and adult California tiger salamanders. The U.S. Fish and Wildlife Service (Service) issued a "no jeopardy" federal programmatic biological opinion (81420-2009-F-0784-1)(BO) and incidental take statement (ITS) to the Army Corps of Engineers (Corps) on April 28, 2010 which considered the effects of the project on the Federally threatened and State candidate California tiger salamander, and the Federally endangered and State threatened San Joaquin kit fox.

On March 3, 2010, the California Fish and Game Commission, the California constitutionally established entity with exclusive statutory authority to designate species as protected under CESA, determined that listing California tiger salamander as a threatened species under state law is warranted. (Cal. Const., art. IV, § 20, subd. (b); Fish & G. Code, §§ 2070, 2075.5(2).) Consistent with the Commission's determination, California tiger salamander will be added to the list of species designated as threatened under CESA following the completion of related formal rulemaking by the Commission under the Administrative Procedure Act (Gov. Code, § 11340 et seq.). (See also Fish & G. Code, 2075.5(2); Cal. Code Regs., tit. 14, 670.1, subd. (j), 670.5, subd. (b).) In the interim, California tiger salamander will remain a candidate species protected under CESA. (Fish & G. Code, 2085; Cal. Reg. Notice Register 2009, No. 8-Z, p. 284.)

Pursuant to California Fish and Game Code Section 2080.1, PG&E is requesting a determination that the BO and ITS are consistent with CESA for purposes of the proposed Project. If the Department determines the BO and ITS are consistent with CESA for the proposed Project, PG&E will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the Project.

## DEPARTMENT OF FISH AND GAME

June 3, 2010

Richard G. Sykes  
Manager of Natural Resources  
East Bay Municipal Utility District

375 Eleventh Street  
Oakland, CA 94607-4240

The California Department of Fish and Game (Department) has received and reviewed your request for a determination of consistency under Fish and Game Code § 2089.22 related to your federal Safe Harbor Agreement (federal SHA) (SHA # 81420-2009-F-0106). The review of your request is focused only on a determination of consistency for impacts, management, and restoration of habitat(s) related to California tiger salamander (CTS) (*Ambystoma californiense*), because California red-legged frog (*Rana aurora draytonii*) and valley elderberry longhorn beetle (*Desmoceris californicus dimorphus*), for which incidental take coverage is permissible via your federal SHA, are not State listed species. The properties subject to your federal SHA consist of approximately 28,000 acres of East Bay Municipal Utility District (EBMUD) lands within three counties; San Joaquin, Calaveras, and Amador. The properties are comprised of Comanche and Pardee dams and reservoirs, extending from 50 feet in width to approximately 3 miles in width from the high-water surface elevation of Comanche and Pardee reservoirs. Additionally, the properties include lands adjacent to the lower Mokelumne River for approximately 1/2 mile downstream of Comanche Dam. Current land use practices on the properties include: hydroelectric power generation, wastewater treatment, facilities maintenance, residential user, recreation, management of water supply, flood control, grazing, and aquaculture.

The Department may authorize acts that are otherwise prohibited pursuant to Fish and Game Code Section 2080 through a Safe Harbor Agreement, including a programmatic agreement, if all of the following are met (Fish and Game Code § 2089.6(a-h):

- a) The Department receives a complete application containing all of the information described in Section 2089.8.
- b) The take is incidental to an otherwise lawful activity.
- c) The Department finds that the implementation of the agreement is reasonably expected to provide a net conservation benefit to the species listed in the application. The finding shall be based, at a minimum, upon the determination that the agreement is of sufficient duration and has appropriate assurances to realize these benefits.
- d) The take authorized by the agreement will not jeopardize the continued existence of the species. This determination shall be made based on the provisions of subdivisions (c) of Section 2081.

- e) The Department finds that the landowner has agreed, to the maximum extent practicable, to avoid or minimize any incidental take authorized in the agreement, including a return to baseline.
- f) The Department has established or approved a monitoring program, based upon objective scientific methodologies, that provides information to the Department to evaluate the effectiveness and the efficiency of the agreement program, including whether the net conservation benefits set forth in the agreement are being achieved and whether the participating landowner is implementing the provisions of the agreement.
- g) The Department has determined that sufficient funding is ensured, for its contractors or agents, to determine baseline conditions on the property, and that there is sufficient funding for the landowner to carry out management actions and for monitoring for the duration of the agreement.
- h) Implementation of the program will not be in conflict with any Department-approved conservation or recovery program for the species covered by the agreement.

Fish and Game Code § 2089.22 states in part that the issuance of a determination of consistency be based only on the issuance criteria contained in article 3.7, the California State Safe Harbor Agreement Program Act. The Department has determined that your federal SHA is inconsistent with the provisions of article 3.7 because all of the conditions described in Fish and Game Code § 2089.6(a–h) have not been met.

Fish and Game Code § 2089.6(c) states that the implementation of a State Safe harbor Agreement (State SHA) must reasonably be expected to provide a net conservation benefit to the species listed in the application. Additionally, the finding shall be based, at a minimum, upon the determination that the agreement is of sufficient duration and has appropriate assurances to realize these benefits. While your federal SHA is of sufficient duration (30 years), it lacks assurances to realize these benefits. Specifically, your federal SHA allows EBMUD activities to occur anywhere on the described property, but fails to quantify the amount and extent of take that could potentially occur in association with those activities. Furthermore, your federal SHA lacks any quantification related to how the proposed habitat enhancements and management activities will provide a benefit to CTS over the entire EBMUD property proposed for inclusion in the State SHA, as only 220 acres of proposed enrolled lands would be managed for the benefit of CTS. Your federal SHA does not provide appropriate assurances to realize benefits to CTS and is therefore inconsistent with article 3.7 of the Fish and Game Code.

Fish and Game Code § 2089.6(e) states that the issuance of a State SHA is appropriate if the Department finds that the landowner has agreed, to the maximum extent practicable, to avoid or minimize any incidental take authorized in the agreement, including a return to baseline. Your federal SHA provides avoidance and minimization measures for only 220 acres (proposed management site) of the 28,000 acres proposed for inclusion in the State SHA. Furthermore, your federal SHA fails to establish an estimated baseline population of CTS as required by Fish and Game Code § 2089.6(e). Your federal SHA relies solely on the management and enhancement of the proposed 220 acre management site, some of which is comprised of potential CTS habitat, yet your federal SHA lacks any discussion related to CTS occurrences or estimated population levels. Some quantification or estimate of CTS populations must occur to ensure that EBMUD activities do not cause CTS population levels to fall below the Department determined baseline population level. Your federal SHA does not include avoidance and minimization measures for the entire 28,000 acres of EBMUD property proposed for inclusion in a State SHA and lacks any discussion related to an estimated population size of CTS and as a result has been determined to be inconsistent with article 3.7.

Fish and Game Code § 2089.6(f) states in part that the issuance of a State SHA is appropriate if the Department has established or approved a monitoring program, based upon objective scientific methodologies, that provides information to the Department to evaluate the effectiveness and the efficiency of the agreement program, including whether the net conservation benefits set forth in the agreement are being achieved and whether the participating landowner is implementing the provisions of the agreement. Your federal SHA requires an annual monitoring report for activities that detail restoration of habitat and management activities on only 220 acres of the proposed 28,000 acres of property to be included in a State SHA. While the required annual report may provide information related to certain management and restoration activities, it is not based on scientific methodologies that allow for a comparison of the effectiveness of the proposed management and restoration. Furthermore, in combination with the lack of an estimated population size as required by Fish and Game Code § 2089.6(e), no evaluation can be made with respect to the efficiency of the property enhancement program and as a result, has been determined to be inconsistent with article 3.7.

Fish and Game Code § 2089.6(g) states in part that the issuance of a State SHA is appropriate if the Department has determined that sufficient funding is ensured, for its contractors or agents, to determine baseline conditions on the property, and that there is sufficient

funding for the landowner to carry out management actions and for monitoring for the duration of the agreement. Your federal SHA lacks any discussion related to the funding required to manage, restore, and monitor, the proposed property and fails to include any financial assurances required by Fish and Game Code § 2089.6(g), and as a result has been determined to be inconsistent with article 3.7.

In addition to your federal SHA being inconsistent with respect to several required provisions of article 3.7 of the Fish and Game Code, the proposed State SHA appears to be generally inconsistent with the intent of the State Safe Harbor Program Act.

The State Safe Harbor Program Act is intended to promote species propagation on lands that are enrolled under a State SHA when a State listed species baseline population has been established on the enrolled land. Enhancement of the habitats found on the enrolled land would likely lead to an increased population throughout the property. If after the term of the State SHA, the enrolled land owner chose to utilize the enrolled land for something other than endangered species enhancement, no penalty would occur with respect to the reduction of the increased species population, except that the reduction of the enhanced species population could not be greater than the originally established baseline. If a reduction below the established baseline was to occur, the normal processes and provisions of the California Endangered Species Act would apply.

Your proposed State SHA appears to be an advanced mitigation program in that the justification of the proposal suggests that activities occurring anywhere on EBMUD's 28,000 acres that take a State listed species would be mitigated because EBMUD has agreed to manage 220 acres (0.007%) of the of the 28,000 acres sought for enrollment.

The Department recognizes that EBMUD has expended effort in establishing a federal SHA for their properties. However, the federal SHA as written is inconsistent with the State Safe Harbor Program Act, and is in general inconsistent with the intent of the Act itself. To that end, the Department desires to work with the EBMUD in establishing a State SHA that is consistent with the intent of the State's Safe Harbor Program.

If you have any questions related to the determination that your federal SHA is inconsistent with the State's Safe Harbor Program Act, please contact Mr. Jeff Drongesen, Acting Environmental Program Manager, at (916) 358-2919. If you would like to meet with Department representatives to develop an appropriate State SHA, please contact Mr. Dan Gifford, Staff Environmental Scientist, at (209) 369-8851.

Sincerely

/s/

Kent Smith  
Acting Regional Manager

cc: Jeff Drongesen  
James Navicky  
Dan Gifford  
Department of Fish and Game  
North Central Region  
jdronges@dfg.ca.gov  
jnavicky@dfg.ca.gov  
dgifford@dfg.ca.gov

## PROPOSITION 65

### OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

CALIFORNIA ENVIRONMENTAL  
PROTECTION AGENCY  
OFFICE OF ENVIRONMENTAL HEALTH  
HAZARD ASSESSMENT

Notice to Interested Parties  
June 18, 2010

Announcement of the Release of the Final Report

Development of Health Criteria for School  
Site Risk Assessment Pursuant to Health and Safety  
Code Section 901(g): Child-Specific Reference  
Dose (chRD) for School Site Risk  
Assessment: Chlorpyrifos

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency announces the availability of the Final Report "Development of Health Criteria for School Site Risk Assessment Pursuant to Health and Safety Code Section 901(g): CHILD-SPECIFIC REFERENCE DOSE (chRD) FOR SCHOOL SITE RISK ASSESSMENT, CHLORPYRIFOS." Section 901(a) requires OEHHA to evaluate and publish, as appropriate, numerical health guidance values or chRDs for those chemicals that could be encountered at school sites and adversely impact schoolchildren.

In developing the chRD, OEHHA has followed the requirements set forth in Health and Safety Code Section 57003 for receiving public input. The first draft

document was released for public review in November 2007. A public workshop was held in December 2007 to discuss the scientific basis and recommendations in the draft report. After considering public comments, OEHHA revised the document and released it for additional public review in February 2010. The release of the final document is a culmination of this public input process. The document includes all comments received and responses to those comments.

You may view this final report at:  
[http://www.oehha.ca.gov/public\\_info/public/kids/chrds.html](http://www.oehha.ca.gov/public_info/public/kids/chrds.html).

If you would like to receive further information on this announcement or have questions, please contact our office at (916) 324-2829 or the address below:

Mr. Leon Surgeon  
 Integrated Risk Assessment Branch  
 Office of Environmental Health Hazard Assessment  
 P.O. Box 4010, MS-12B  
 1001 I Street  
 Sacramento, California 95812-4010  
 FAX: (916) 322-9705

# OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

## NOTICE OF DECISION NOT TO PROCEED

**Editor's Note:** *The Office of Environmental Health Hazard Assessment (OEHHA) originally published a Notice of Proposed Action proposing to amend Title 27 of the California Code of Regulations, section 25705: Specific Regulatory Level Posing No Significant Risk: Fumonisin B<sub>1</sub> in the California Regulatory Notice Register 2009, No. 41-Z, October 9, 2009, p. 1771. OEHHA has decided to withdraw this rulemaking.*

## DECISION NOT TO PROCEED

# OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

## CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

## SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65)

## NOTICE OF WITHDRAWAL OF PROPOSED RULEMAKING

## TITLE 27, CALIFORNIA CODE OF REGULATIONS

## PROPOSED AMENDMENT TO SECTION 25705(d): SPECIFIC REGULATORY LEVEL POSING NO SIGNIFICANT RISK: FUMONISIN B<sub>1</sub> June 18, 2010

Fumonisin B<sub>1</sub> was listed as known to the state to cause cancer under Proposition 65<sup>1</sup> on November 14, 2003. On October 9, 2009, OEHHA proposed a "safe harbor level" for fumonisin B<sub>1</sub> based on an expedited method allowed under applicable regulations.<sup>2</sup> The Initial Statement of Reasons and the document describing the proposed safe harbor level for fumonisin B<sub>1</sub> can be found here: <http://www.oehha.ca.gov/prop65/law/fumonisin100909.html>. On November 23, 2009, the Grocery Manufacturers' Association (GMA) submitted comments objecting to the use of the expedited procedure for fumonisin B<sub>1</sub> based on a number of scientific considerations. To evaluate the need for a conventional risk assessment, OEHHA would have to conduct a detailed review of the data submitted by GMA along with other relevant information that may be identified through an extensive literature search. Therefore, OEHHA is unable to complete the rulemaking process within the time allowed under the Administrative Procedure Act. By this Notice, OEHHA is hereby withdrawing its proposal to establish a specific level posing no significant risk using expedited methodology for fumonisin B<sub>1</sub>.

### Background:

Proposition 65 prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual (Health and Safety Code Section 25249.6). The Act also prohibits discharges of listed chemicals to sources of drinking water. For chemicals known to the State to cause cancer, Proposition 65 provides an exemption from the above requirements when a person is able to demonstrate that an exposure poses no significant risk (Health and Safety Code Section 25249.9).

<sup>1</sup> The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 et seq.

<sup>2</sup> Title 27, California Code of Regulations, section 25705(d)(3). All further references to regulations refer to sections of Title 27 of the California Code of Regulations.

The Office of Environmental Health Hazard Assessment (OEHHA) develops regulatory levels posing no significant risk, also known as “safe harbor levels,” to assist interested parties in complying with the above requirements of the Act. On October 9, 2009, OEHHA proposed to establish a specific regulatory level for fumonisin B<sub>1</sub> for adoption into Section 25705(d)(3) of the regulations. OEHHA developed the proposed No Significant Risk Level (NSRL) for fumonisin B<sub>1</sub> using an expedited method.

OEHHA calculated the proposed NSRL using an expedited approach consistent with the procedures specified in Section 25703. Under this approach, an exhaustive literature search for chemical-specific data and subsequent analysis of these data to evaluate the scientific basis for the default assumptions are not required. To establish a *de novo* NSRL under Section 25705(b), OEHHA would have to conduct a much more extensive data review and analysis of the existing scientific literature. Section 25705(d)(2) provides that where the lead agency has established a safe harbor level for a chemical using an expedited method, “An interested party may request the lead agency to reevaluate a level established in this subsection based on scientific considerations that indicate the need for a conventional risk assessment.”

OEHHA has not yet established a safe harbor level for fumonisin B<sub>1</sub> under this rulemaking. However, given that GMA has requested a conventional risk assessment and OEHHA is unable to evaluate the need for such an assessment prior to the expiration of this proposed rulemaking, OEHHA is withdrawing its proposal to establish an expedited safe harbor level for fumonisin at this time. OEHHA will provide a public notice and comment period in the event it decides to proceed with a new rulemaking regarding this chemical.

## SUMMARY OF REGULATORY ACTIONS

### REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2010-0423-09

#### BOARD OF OCCUPATIONAL THERAPY Definitions

This rulemaking amends Title 16 section 4180 to define Level II Fieldwork Educator. This definition is necessary to clarify that one year of practical experience is required.

Title 16

California Code of Regulations

AMEND: 4180

Filed 06/03/2010

Effective 07/03/2010

Agency Contact: James Schenk (916) 263-2249

File# 2010-0430-03

#### BOARD OF PHARMACY Fingerprint Submission for Pharmacists

This rulemaking adopts Title 16 section 1702 to establish the requirement that all pharmacist applicants for renewal who have not previously submitted fingerprints to the FBI or for whom an electronic record does not exist with DOJ to complete a state and federal level criminal offender record information search prior to license renewal. This new section also provides that a revoked license may not be reinstated until fingerprints are submitted and a criminal record search is conducted through DOJ.

Title 16

California Code of Regulations

ADOPT: 1702

Filed 06/07/2010

Effective 12/07/2010

Agency Contact:

Anne Sodergren (916) 445-5014

File# 2010-0427-06

#### CALIFORNIA HORSE RACING BOARD Safety Vest Required

This regulatory action amends existing safety vest requirements by adding harness drivers and assistant starters to the list of persons required to wear such vests. It also updates vest construction standards by specifying three alternative upper body shock absorbing standards a vest must meet for use in California.

Title 4

California Code of Regulations

AMEND: 1689.1

Filed 06/09/2010

Effective 07/09/2010

Agency Contact: Colleen Germek (916) 274-6049

File# 2010-0526-05

**CALIFORNIA STATE LIBRARY**

**Conflict-of-Interest Code**

The California State Library is amending its conflict of interest code found at title 2, div. 8, ch. 64, sec. 55300, California Code of Regulations. The amendment was approved for filing by the Fair Political Practices Commission on May 3, 2010.

**Title 2**

California Code of Regulations

AMEND: Div. 8, Ch. 64, Sec. 55300

Filed 06/09/2010

Effective 07/09/2010

Agency Contact: Victor Pong (916) 445-9595

File# 2010-0427-05

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**Training and Testing Specifications**

This rulemaking updates the Commission's Training and Testing Specifications for Peace Officer Basic Courses.

**Title 11**

California Code of Regulations

AMEND: 1005, 1007, 1008

Filed 06/09/2010

Effective 07/01/2010

Agency Contact: Cheryl Smith (916) 227-0544

File# 2010-0427-04

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**Training Specifications**

This regulatory action revises an incorporated by reference publication, Training Specifications for Public Safety Dispatcher Course, and amends the affected CCR sections by updating the name of the course and the version date of the publication.

**Title 11**

California Code of Regulations

AMEND: 1005, 1018

Filed 06/09/2010

Effective 07/01/2010

Agency Contact: Don Shingara (916) 227-3935

File# 2010-0420-02

**DEPARTMENT OF FOOD AND AGRICULTURE**

**Asian Citrus Psyllid Interior Quarantine**

The Department of Food and Agriculture filed this timely certificate of compliance to make permanent five prior emergency regulatory actions, OAL file nos. 2009-0825-02E, 2009-0828-02E, 2009-1023-01E, 2009-1112-04E, and 2009-1123-10E, and the emer-

gency readoption of OAL file nos. 2009-0825-02E and 2009-0828-02E in OAL file no. 2010-0216-03EE. These actions create or expand quarantine areas to regulate the movement of hosts and possible carriers of the Asian citrus psyllid (ACP), *Diaphorina citri*, within or from the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and San Diego, to help prevent the spread of the ACP, associated bacteria, and citrus greening disease. The regulations impose requirements on nursery stock within the quarantine area to be treated in a manner approved by the Department and to bear labels stating that it may not be moved outside the quarantine area, and allow for the movement of regulated articles within the quarantine area and for the movement of articles or commodities through a quarantine area, as specified.

**Title 3**

California Code of Regulations

AMEND: 3435

Filed 06/02/2010

Agency Contact:

Susan McCarthy (916) 654-1017

File# 2010-0427-03

**DEPARTMENT OF FOOD AND AGRICULTURE**

**Light Brown Apple Moth Interior Quarantine**

This certificate of compliance makes permanent three prior emergency regulatory actions (OAL file nos. 2009-1105-01E, 2009-1223-03E, and 2010-0121-03E) that established or expanded quarantine areas in the counties of Alameda, Contra Costa, Los Angeles, Marin, Monterey, Napa, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, and Yolo. It also established the counties of San Francisco, San Mateo and Santa Cruz as the regulated area and eliminated the restrictions on moving host material within this area and into this area from the contiguous quarantine areas. This is all due to recent findings of the light brown apple moth "LBAM" (*Epiphyas postvittana*). The effect of these amendments to the regulations is to establish the authority for the State to perform quarantine activities against the LBAM in these quarantine areas.

**Title 3**

California Code of Regulations

AMEND: 3434(b), (c), (d), and (e)

Filed 06/09/2010

Agency Contact:

Stephen S. Brown (916) 654-1017

File# 2010-0423-07

**DEPARTMENT OF FOOD AND AGRICULTURE**

**Noxious Weed Species**

The Department of Food and Agriculture (Department) amends Section 4500 of Title 3 of the California

Code of Regulations relating to noxious weed species.  
The Department specifically adds 33 weeds to the list of noxious weed species.

Title 3  
California Code of Regulations  
AMEND: 4500  
Filed 06/07/2010  
Effective 07/07/2010  
Agency Contact:  
Susan McCarthy (916) 654-1017

File# 2010-0423-06  
DEPARTMENT OF MOTOR VEHICLES  
Deposit in Lieu of Bond

This action amends existing provisions allowing a motor vehicle or vessel owner applying for a California certificate of title without the required supporting proof of ownership to obtain a certificate of title after posting a deposit in lieu of bond by use of a newly adopted and incorporated form, "Vehicle, Vessel or Off-Highway Vehicle Title Deposit Agreement and Assignment, form REG 5059 (NEW 10/2009)".

Title 13  
California Code of Regulations  
AMEND: 152.00, 190.03  
Filed 06/07/2010  
Effective 07/07/2010  
Agency Contact: Maria Grijalva (916) 657-9001

File# 2010-0423-02  
DEPARTMENT OF SOCIAL SERVICES  
Access to State Hearings Records Section 100

This Section 100 change without regulatory effect corrects a misleading title for Manual of Policies and Procedures (MPP) subsection 19-005.4 by substituting "Access to Case Records" for "Release of Information in Conjunction with a State Hearing".

Title MPP  
California Code of Regulations  
AMEND: 19-005  
Filed 06/02/2010  
Agency Contact:  
Zaid Dominguez (916) 657-2586

File# 2010-0421-03  
DEPARTMENT OF TRANSPORTATION  
Fire Truck Axle Weight Exemptions

This is the timely resubmission of an action that updates the weight and length limits applicable to fire trucks with the goal of making California standards for fire trucks closer to national standards so that fire protection agencies can purchase standard equipment.

Title 21  
California Code of Regulations  
AMEND: 1411.1, 1411.7  
Filed 06/02/2010  
Effective 07/02/2010  
Agency Contact: Casey Robb (916) 651-6125

File# 2010-0428-05  
EDUCATION AUDIT APPEALS PANEL  
Supplement to Audits of K-12 LEAs—FY 2009-10  
This is the certification of compliance for formal adoption of the FY 2009-2010 Audit Guide Supplement.

Title 5  
California Code of Regulations  
AMEND: 19824, 19851, 19854  
Filed 06/09/2010  
Agency Contact: Carolyn Pirillo (916) 445-7745

File# 2010-0427-07  
MANAGED RISK MEDICAL INSURANCE BOARD  
HFP Increase Share of Cost & Limiting Choice of Dental

The Health Families Program (HFP) is California's state- and federally-funded Children's Health Insurance Program (CHIP) established pursuant to title XXI of the federal Social Security Act. The Board administers HFP. HFP provides comprehensive health, dental and vision insurance to low-income children under the age of 19 with family income above the Medi-Cal income eligibility levels. Approximately, two-thirds of the funding for HFP is provided by the federal CHIP.

This is the certificate of compliance that makes permanent the prior emergency regulatory action (OAL file no. 2009-1020-04EFP) that reduced HFP costs by limiting some applicants' choices to lower-cost dental plans and increasing the amount of benefit copayments to be made to health, vision and dental plans by subscribers.

Title 10  
California Code of Regulations  
AMEND: 2699.6600, 2699.6607, 2699.6619, 2699.6621, 2699.6705, 2699.6715, 2699.6725  
Filed 06/09/2010  
Agency Contact: Dianne Knox (916) 324-0592

File# 2010-0421-04  
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD  
Use of High Visibility Apparel—Private Roads and Off Highway Situations

This regulatory action substitutes updated terminology describing the high visibility safety apparel require-

ments for road construction flaggers, grade-checkers, surveyors, etc. and clarifies that the clothing requirements are applicable to any employees on foot and exposed to vehicular traffic hazards while working on private roadways or off-highway situations.

Title 8  
California Code of Regulations  
AMEND: 1590  
Filed 06/02/2010  
Effective 07/02/2010  
Agency Contact: Marley Hart (916) 274-5721

**CCR CHANGES FILED  
WITH THE SECRETARY OF STATE  
WITHIN January 6, 2010 TO  
June 9, 2010**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 2**

06/09/10 AMEND: Div. 8, Ch. 64, Sec. 55300  
05/25/10 AMEND: div. 8, ch. 65, sec. 55400  
05/11/10 AMEND: 18945  
05/06/10 AMEND: 1859.2  
05/03/10 AMEND: 60040, 60045  
04/21/10 AMEND: 1859.96, 1859.148.2, 1859.166.2  
04/08/10 AMEND: 1859.76  
03/23/10 AMEND: 18351  
03/19/10 ADOPT: 59670  
03/19/10 AMEND: 18942 REPEAL: 18630  
03/11/10 AMEND: 18932.4  
02/24/10 AMEND: 1859.2, 1859.41, Form SAB 50-01, Form SAB 50-02  
02/23/10 AMEND: div. 8, ch. 16, sec. 37000  
02/19/10 AMEND: 52400  
02/11/10 ADOPT: 18421.9 AMEND: 18431  
02/11/10 AMEND: 18950.3  
02/09/10 ADOPT: 59660  
01/26/10 ADOPT: 1899.570, 1899.575, 1899.580, 1899.585  
01/25/10 AMEND: 58100  
01/19/10 AMEND: div.8, ch. 102, sec. 59100  
01/14/10 AMEND: Section 27000  
01/13/10 ADOPT: div. 8, ch. 119, sec. 59640  
01/11/10 ADOPT: 18229.1, 18944 REPEAL: 18944

**Title 3**

06/09/10 AMEND: 3434(b), (c), (d), and (e)  
06/07/10 AMEND: 4500  
06/02/10 AMEND: 3435  
06/01/10 AMEND: 3437(b)  
05/24/10 AMEND: 3434(b)  
05/17/10 AMEND: 3591.5(a)  
05/17/10 ADOPT: 3701, 3701.1, 3701.2, 3701.3, 3701.4, 3701.5, 3701.6, 3701.7, 3701.8  
AMEND: 3407(e), 3407(f)  
REPEAL: 3000, 3001, 3002, 3003, 3004  
05/13/10 AMEND: 3437  
05/04/10 AMEND: 3423(b)  
05/04/10 AMEND: 3437(b)  
05/04/10 AMEND: 3434(b)  
05/03/10 AMEND: 3434(b), 3434(c) and 3434(d)  
04/22/10 AMEND: 3434(b)  
04/22/10 AMEND: 3406(b), 3406(c)  
04/20/10 AMEND: 3437(b)  
04/15/10 AMEND: 3434(b)  
04/05/10 AMEND: 3434(b)  
03/24/10 ADOPT: 3436  
03/24/10 AMEND: 3588  
03/17/10 AMEND: 3423(b)  
03/15/10 AMEND: 3434(b)  
03/10/10 AMEND: 3591.20(a)  
03/10/10 AMEND: 3434(b)  
03/04/10 AMEND: 3700(c)  
03/04/10 AMEND: 3406(b)  
03/03/10 REPEAL: 3279, 3433  
03/03/10 AMEND: 3591.20  
03/03/10 AMEND: 3406(b)  
03/03/10 AMEND: 3423(b)  
03/03/10 ADOPT: 3437  
02/26/10 AMEND: 3435  
02/18/10 AMEND: 3591.23  
02/18/10 ADOPT: 3591.24  
01/25/10 AMEND: 3434(b)  
01/25/10 AMEND: 3406(b)  
01/25/10 ADOPT: 1430.54, 1430.55, 1430.56, 1430.57  
01/19/10 ADOPT: 3436  
01/12/10 AMEND: 3434(b)  
01/11/10 AMEND: 3406(b) and (c)  
01/06/10 AMEND: 3435(b)

**Title 4**

06/09/10 AMEND: 1689.1  
06/01/10 AMEND: 10020  
05/17/10 ADOPT: 12590 REPEAL: 12590  
04/29/10 AMEND: 8034, 8035, 8042, 8043  
04/13/10 ADOPT: 12350, 12351, 12352, 12353, 12354, 12355 AMEND: 12008, 12335, 12340, 12342, 12343 renumbered as and merged with amended 12342, 12344

renumbered as and merged with amended  
12345, and 12348 renumbered as 12346  
REPEAL: 12347  
04/06/10 ADOPT: 12372, 12395, 12396 AMEND:  
12370  
03/29/10 AMEND: 1685  
03/29/10 AMEND: 1632  
03/25/10 AMEND: 10175, 10176, 10177, 10178,  
10179, 10180, 10181, 10182, 10185,  
10187, 10188, 10190  
03/15/10 ADOPT: 12482  
02/01/10 AMEND: 1867  
01/29/10 AMEND: 1866  
01/27/10 AMEND: 10020  
01/27/10 AMEND: 1890  
01/27/10 AMEND: 1859  
01/27/10 AMEND: 1843.6 and 1858

**Title 5**

06/09/10 AMEND: 19824, 19851, 19854  
05/27/10 ADOPT: 80048.8, 80048.8.1, 80048.9,  
80048.9.1, 80048.9.2, 80048.9.3  
AMEND: 800.46.5, 80047, 80047.1,  
80047.2, 80047.3, 80047.4, 80047.5,  
80047.6, 80047.7, 80047.8, 80047.9,  
80048.3, 80048.4, 80048.6 REPEAL:  
80048.2  
05/20/10 ADOPT: 30730, 30731, 30732, 30733,  
30734, 30735, 30736  
04/15/10 AMEND: 19816, 19816.1  
04/12/10 REPEAL: 40503  
04/12/10 AMEND: 42002  
02/26/10 AMEND: 19824, 19851, 19854  
02/01/10 ADOPT: 70030, 70040, 71135, 71320,  
71390, 71395, 71400.5, 71401, 71475,  
71480, 71485, 71640, 71650, 71655,  
71716, 71750, 71760, 74110, 74115,  
76020, 76140, 76212, 76240 AMEND:  
70000, 70010, 70020, 71100, 71110,  
71120, 71130, 71140, 71150, 71160,  
71170, 71180, 71190, 71200, 71210,  
71220, 71230, 71240, 71250, 71260,  
71270, 71280, 71290, 71300, 71310,  
71340, 71380, 71400, 71405, 71450,  
71455, 71460, 71465, 71470, 71500,  
71550, 71600, 71630, 71700, 71705,  
71710, 71715, 71720, 71730, 71735,  
71740, 71745, 71770, 71810, 71850,  
71865, 71920, 71930, 74000, 74002,  
74004, 74006, 74120, 74130, 74140,  
74150, 74160, 74170, 74190, 74200,  
76000, 76120, 76130, 76200, 76210,  
76215 REPEAL: 70030, 71000, 71005,  
71010, 71020, 71330, 71360, 71410,  
71415, 71420, 71490, 71495, 71505,

71510, 71515, 71520, 71555, 71560,  
71565, 71605, 71610, 71615, 71650,  
71655, 71725, 71775, 71800, 71805,  
71830, 71855, 71860, 71870, 71875,  
71880, 71885, 71890, 71900, 71905,  
71910, 72000, 72005, 72010, 72020,  
72101, 72105, 72110, 72120, 72130,  
72140, 72150, 72160, 72170, 72180,  
72190, 72200, 72210, 72220, 72230,  
72240, 72250, 72260, 72270, 72280,  
72290, 72300, 72310, 72330, 72340,  
72360, 72380, 72400, 72405, 72410,  
72415, 72420, 72450, 72455, 72460,  
72465, 72470, 72500, 72505, 72515,  
72520, 72550, 72555, 72560, 72565,  
72570, 72600, 72605, 72610, 72615,  
72650, 72655, 72700, 72701, 72705,  
72710, 72715, 72720, 72725, 72730,  
72735, 72740, 72745, 72770, 72775,  
72800, 72805, 72810, 72830, 72850,  
72855, 72860, 72865, 72870, 72875,  
72880, 72885, 72890, 72900, 72905,  
72910, 72915, 72920, 72930, 73000,  
73010, 73100, 73110, 73120, 73130,  
73140, 73150, 73160, 73165, 73170,  
73180, 73190, 73200, 73210, 73220,  
73230, 73240, 73260, 73270, 73280,  
73290, 73300, 73310, 73320, 73330,  
73340, 73350, 73360, 73380, 73390,  
73400, 73410, 73420, 73430, 73440,  
73470, 73480, 73500, 73520, 73530,  
73540, 73550, 73600, 73610, 73620,  
73630, 73640, 73650, 73660, 73670,  
73680, 73690, 73700, 73710, 73720,  
73730, 73740, 73750, 73760, 73765,  
73770, 73780, 73790, 73800, 73820,  
73830, 73831, 73832, 73850, 73860,  
73870, 73880, 73890, 73900, 73910,  
74008, 74010, 74014, 74016, 74018,  
74020, 74030, 74040, 74050, 74100,  
74180, 74300, 74310, 74320, 75000,  
75020, 75030, 75040, 75100, 75110,  
75120, 75130, 76010

01/21/10 ADOPT: 30701, 30702, 30703, 30704,  
30705, 30706, 30707, 30708, and 30709  
REPEAL: 30701, 30702, 30703, 30704,  
30705, 30706, 30707, 30708, and 30709  
01/21/10 ADOPT: 80034.1, 80034.2, 80034.3  
AMEND: 80035, 80035.1, 80035.5

**Title 8**

06/02/10 AMEND: 1590  
05/25/10 AMEND: 1599  
05/05/10 AMEND: 3308

04/06/10	AMEND: 2305.2, 2340.16, 2360.3, 2405.4, 2534.8	02/23/10	ADOPT: 2756, 2758.1, 2758.2, 2758.3, 2758.4, 2758.5, 2758.6, 2758.7, 2945.1, 2945.2, 2945.3, 2945.4 AMEND: 2750, 2911
03/24/10	AMEND: 4301	02/23/10	ADOPT: 2187, 2187.1, 2187.3, 2187.6, 2188.2.5, 2188.5.5, 2188.50(a), 2188.50(b), 2188.50(c), 2188.50(e), 2188.50(h) AMEND: 2186, 2186.1, 2187 (renumbered to 2187.3), 2187.1 (renumbered to 2187.2), 2187.2 (renumbered to 2187.7), 2187.3 (renumbered to 2187.4), 2187.4 (renumbered to 2187.5), 2188, 2188.1, 2188.2, 2188.3, 2188.4, 2188.5, 2188.23 (renumbered to 2188.50(d)), 2188.24 (renumbered to 2188.50(f)), 2188.83 (renumbered to 2188.50(g))
03/10/10	AMEND: 6070, 6074, 6075, 6080, 6085, 6087, 6089, 6090, 6100, 6115, 6120, Article 154, Appendix A, Appendix B	02/03/10	AMEND: 2695.85
02/03/10	AMEND: 5155	01/21/10	ADOPT: 3575, 3576, 3577 AMEND: 3500, 3522, 3523, 3524, 3526, 3527, 3528, 3529, 3530, 3582, 3681, 3702, 3703, 3721, 3724, 3726, 3728, 3731, 3741
02/02/10	AMEND: 1549(h)	01/07/10	AMEND: 2651.1, 2652.1, 2652.10, 2653.3, 2653.4, 2653.5, 2654.1, 2655.3, 2655.4
<b>Title 9</b>			
05/07/10	REPEAL: 3520	<b>Title 11</b>	
04/28/10	ADOPT: 4350	06/09/10	AMEND: 1005, 1018
04/20/10	ADOPT: 10700, 10701 AMEND: 10518, 10529 REPEAL: 10532, 10533	06/09/10	AMEND: 1005, 1007, 1008
<b>Title 10</b>			
06/09/10	AMEND: 2699.6600, 2699.6607, 2699.6619, 2699.6621, 2699.6705, 2699.6715, 2699.6725	05/19/10	AMEND: 20
06/01/10	AMEND: 2498.6	04/21/10	AMEND: 1084
05/26/10	AMEND: 2699.6809	03/30/10	AMEND: 1084
05/19/10	ADOPT: 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5507	01/11/10	AMEND: 38.3
05/04/10	AMEND: 2699.6625	<b>Title 13</b>	
04/28/10	AMEND: 2318.6	06/07/10	AMEND: 152.00, 190.03
04/28/10	AMEND: 2318.6, 2353.1, 2354	05/18/10	ADOPT: 1971.5 AMEND: 1968.2, 1971.1
04/28/10	AMEND: 2353.1	04/27/10	AMEND: 1160.3, 1160.4
04/21/10	AMEND: 2699.202	04/13/10	AMEND: 1201, 1212, 1213
04/21/10	AMEND: 2699.202	04/05/10	ADOPT: 2408.1 AMEND: 2401, 2403, 2404, 2405, 2406, 2408, 2409
04/13/10	ADOPT: 2031.1, 2031.2, 2031.3, 2031.4, 2031.5, 2031.6, 2031.7, 2031.8, 2031.9, 2031.10	04/01/10	AMEND: 1961, 1961.1
04/12/10	AMEND: 2690	04/01/10	AMEND: 1961, 1961.1
04/06/10	ADOPT: 2850.1, 2850.2, 2850.3, 2850.4, 2850.5, 2850.6, 2850.7, 2850.8, 2850.9, 2850.10	03/25/10	AMEND: 2480
04/01/10	ADOPT: 1409.1, 1414, 1422.4, 1422.4.1, 1422.5, 1422.6, 1422.6.1, 1422.6.2, 1422.6.3, 1422.7, 1422.7.1, 1422.9, 1422.10, 1422.11, 1422.12, 1424, 1437, 1950.122.2.1, 1950.122.4, 1950.122.4.1, 1950.122, 1950.122.5, 1950.122.5.1, 1950.122.5.2, 1950.122.5.3, 1950.122.5.4, 1950.122.6, 1950.122.7, 1950.122.8, 1950.122.9, 1950.122.10, 1950.122.11, 1950.122.12, 1950.205.1, 1950.209, 1950.307 AMEND: 1404, 1409, 1411, 1430.5, 1431, 1433, 1436, 1454, 1550, 1552, 1557, 1950.003, 1950.122.2, 1950.123, 1950.204.3, 1950.204.4, 1950.301, 1950.314.8, 1950.316, 1950.317 REPEAL: 1950.122	03/04/10	ADOPT: 205.00, 205.02, 205.04, 205.06, 205.08, 205.10, 205.12, 205.14
03/29/10	AMEND: 2202, 2203	03/03/10	AMEND: 423.00
03/18/10	ADOPT: 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5507	02/22/10	AMEND: 350.36, 350.38, 350.40, 350.44, 350.46
		01/14/10	ADOPT: 2032 AMEND: 1961, 1962, 1962.1, 1976, 1978
		<b>Title 14</b>	
		05/26/10	AMEND: 7.50

05/03/10	AMEND: 820.01	(renumbered to 3054.6), 3054.6
04/30/10	AMEND: 27.80	(renumbered to 3054.7)
04/27/10	AMEND: 632	01/25/10 ADOPT: 3042 AMEND: 3040, 3040.1,
04/20/10	AMEND: 895.1, 914.6, 934.6, 954.6,	3041, 3041.2, 3043, 3043.1, 3043.3,
	1024, 1025, 1026, 1030, 1052, 1052.1,	3043.4, 3043.5, 3043.6, 3044, 3045,
	1052.4, 1092, 1092.01, 1092.09, 1092.29	3045.1, 3045.2, 3045.3 REPEAL: 3040.2
03/29/10	ADOPT: 18452.1 AMEND: 18449,	01/25/10 ADOPT: 3075.2(b)(4) through (b)(4)(C),
	18450, 18451, 18453, 18453.2, 18454,	3075.3(c), 3505 AMEND: 3000, 3075.2,
	18455, 18456, 18456.1, 18456.2,	3075.3, 3502, 3504
	18456.3, 18456.4, 18457, 18459,	01/07/10 AMEND: 1, 100, 102, 260, 261, 262, 263,
	18459.1, 18459.1.2, 18459.2.1, 18459.3,	351, 352, 353, 354, 355, 356, 358, 1006,
	18460.1, 18460.1.1, 18460.2, 18461,	1010, 1029, 1032, 1045, 1055, 1056,
	18462, 18463, 18464, 18466, 18831	1063, 1081, 1083, 1084, 1100, 1122,
	REPEAL: 18456.2.1, 18460.2.1	1140, 1160, 1245, 1260, 1264, 1272,
03/10/10	AMEND: 670.5	1280
02/23/10	AMEND: 1052(a)	01/07/10 ADOPT: 3768, 3768.1, 3768.2, 3768.3
02/18/10	AMEND: 155	REPEAL: 3999.6
02/16/10	ADOPT: 15064.4, 15183.5, 15364.5	<b>Title 16</b>
	AMEND: 15064, 15064.7, 15065,	06/07/10 ADOPT: 1702
	15086, 15093, 15125, 15126.2, 15126.4,	06/03/10 AMEND: 4180
	15130, 15150, 15183, Appendix F,	05/27/10 AMEND: 314
	Appendix G	05/20/10 AMEND: 1996.3, 1997
02/09/10	ADOPT: 1.54, 5.70, 5.83 AMEND: 1.74,	05/19/10 AMEND: 3340.1
	2.00, 2.09, 2.30, 3.00, 5.00, 5.15, 5.30,	05/13/10 ADOPT: 1399.615, 1399.616, 1399.617,
	5.37, 5.40, 5.51, 5.60, 5.79, 5.80, 5.81,	1399.618, 1399.619 AMEND: 1399.571
	5.82, 5.87, 5.88, 7.00, 7.50, 8.00, 27.80,	05/04/10 ADOPT: 4175
	27.92, 29.90, 700, 701	04/27/10 AMEND: 1399.152, 1399.153.3,
02/03/10	AMEND: 11960	1399.160.3, 1399.160.4
02/01/10	AMEND: 1257	04/12/10 ADOPT: 3340.36.1
01/29/10	AMEND: 791.7, 792	03/29/10 ADOPT: 1355.4
01/28/10	AMEND: 2090, 2425, 2525, 2530	03/16/10 ADOPT: 311.1
01/14/10	ADOPT: 749.5	03/09/10 AMEND: 1016, 1017 REPEAL: 1016.1,
01/13/10	REPEAL: 1.18	1017.1
01/08/10	AMEND: 4970.00, 4970.01, 4970.05,	03/08/10 AMEND: 4100
	4970.06.1, 4970.07, 4970.07.2, 4970.08,	02/24/10 AMEND: 4120
	4970.10, 4970.10.1, 4970.10.3,	02/22/10 ADOPT: 2262.1 AMEND: 2262
	4970.10.4, 4970.11, 4970.14.1,	02/18/10 ADOPT: 50.1
	4970.14.3, 4970.15.1, 4970.15.2,	02/16/10 ADOPT: 318.1
	4970.15.3, 4970.17, 4970.19, 4970.19.2,	01/06/10 AMEND: 1505
	4970.19.4, 4970.20, 4970.21, 4970.22,	01/06/10 ADOPT: 2.4
	4970.24, 4970.25.1, 4970.26	01/06/10 ADOPT: 1735, 1735.1, 1735.2, 1735.3,
		1735.4, 1735.5, 1735.6, 1735.7, 1735.8
		AMEND: 1751, 1751.01, 1751.02,
		1751.1, 1751.2, 1751.3, 1751.4, 1751.5,
		1751.6, 1751.7, 1751.8, 1751.9
		REPEAL: 1716.1, 1716.2, 1751.1,
		1751.6, 1751.9
<b>Title 15</b>		<b>Title 17</b>
05/25/10	AMEND: 3170.1(g), 3173.2(d)	04/15/10 AMEND: 95480.1, 95481, 95486
05/25/10	AMEND: 3090, 3091, 3093, 3095	04/07/10 AMEND: 1031.2, 1031.3
04/26/10	ADOPT: 3720, 3721, 3721.1, 3722, 3723	02/08/10 AMEND: 95362, 95365, 95366, 95367,
02/24/10	AMEND: 7001	95368
02/16/10	ADOPT: 3540, 3541, 3542, 3543, 3544,	
	3545, 3546, 3547, 3548, 3560, 3561,	
	3562, 3563, 3564, 3565	
02/02/10	ADOPT: 3054.3 AMEND: 3054, 3054.1,	
	3054.2, 3054.3 (renumbered to 3054.4),	
	3054.4 (renumbered to 3054.5), 3054.5	

01/12/10	ADOPT: 95480, 95480.1, 95481, 95482, 95483, 95484, 95485, 95486, 95487, 95489, 95490	100101, 100102, 100103, 100104, 100105, 100106, 100107, 100108, 100109, 100110, 100111, 100112, 100113, 100114, 100115, 100116, 100117, 100118, 100119, 100120, 100121, 100122, 100123, 100124, 100125, 100126, 100127, 100128, 100129, 100130
<b>Title 18</b>		
05/18/10	ADOPT: 1004, 1032, 1124.1, 1249, 1336, 1422.1, 2251, 2303.1, 2433, 2571, 3022, 3302.1, 3502.1, 4106, 4903	
05/13/10	AMEND: 1584	
05/13/10	AMEND: 1602.5, 1700	05/18/10
05/11/10	REPEAL: 1525.7	ADOPT: 100059.1, 100061.2 AMEND: 100057, 100058, 100059, 100059.2, 100060, 100061, 100061.1, 100062, 100063, 100063.1, 100064, 100064.1, 100065, 100066, 100067, 100068, 100069, 100070, 100071, 100072, 100073, 100074, 100075, 100076, 100077, 100078, 100079, 100080, 100081, 100082, 100083
04/14/10	AMEND: 192, 193, 371	
03/30/10	ADOPT: 3500 AMEND: 2300, 2401, 3502, 4041, 4500, 4508, 4701, 4702, 4703, 4901	05/18/10
03/19/10	ADOPT: 25101.3 AMEND: 25137-7	ADOPT: 100340, 100341, 100342, 100343, 100343.1, 100343.2, 100343.3, 100344, 100345, 100346, 100346.1, 100347, 100348, 100349
03/17/10	AMEND: 1699	
03/16/10	AMEND: 312(a)	05/18/10
03/16/10	AMEND: 1597	ADOPT: 100202.1, 100206.1, 100206.2, 100206.3, 100206.4, 100208.1, 100211.1, 100214.1, 100214.2, 100214.3 AMEND: 100201, 100202, 100203, 100204, 100205, 100206, 100207, 100208, 100209, 100210, 100211, 100212, 100213, 100214, 100215, 100216, 100217 REPEAL: 100218
01/25/10	AMEND: 2504, 2505, 2506, 2507, 2508, 2509, 2512, 2513, 2514, 2525, 2530, 2535, 2536, 2537, 2538, 2540, 2541, 2542, 2543, 2544, 2557, 2560, 2561	05/12/10
01/20/10	AMEND: 5237, 5266	ADOPT: 5300, 5400 AMEND: 5002, 5010, 5052, 5055, 5062, 5102, 5105
<b>Title 19, 26</b>		05/12/10
05/12/10	AMEND: Title 19: 2402, 2407, 2411, 2413, 2415, 2425, 2443, 2444, 2450, 2501, 2510, 2520, 2530, 2540, 2570.2, 2571, 2573.1, 2573.2, 2573.3, 2575.1, 2575.2, 2576, 2576.1, 2577.2, 2577.3, 2577.5, 2577.6, 2577.7, 2577.8, 2578.1, 2578.2, 2578.3, 2703, 2705, 2724, 2729.2, 2731, 2735.1, 2735.3, 2735.4, 2735.5, 2745.1, 2745.10, 2750.2, 2750.3, 2765.2, 2775.6, 2780.1, 2780.2, 2780.3, 2780.4, 2780.6, 2780.7, 2800, 2810, 2815, 2820, 2825, 2830, 2835, 2850, 2855, 2900, 2910, 2915, 2925, 2930, 2940, 2945, 2955, 2965, 2966, 2970, 2980, 2990, Title 26: 19-2510, 19-2520, 19-2530, 19-2540, 19-2703, 19-2705, 19-2724, 19-2731	AMEND: 11-425, 22-001, 22-003, 22-009, 45-302, 45-303, 45-304, 45-305, 45-306
		05/06/10
		AMEND: 66273.36
		04/08/10
		AMEND: 50778
		04/05/10
		AMEND: 4446.5
		03/03/10
		AMEND: 70055, 70577, 70703, 70706, 70707, 70717, 70749, 70751, 70753, 71053, 71203, 71205, 71503, 71507, 71517, 71545, 71551, 71553, 72091, 72109, 72303, 72311, 72315, 72319, 72337, 72413, 72423, 72433, 72453, 72461, 72471, 72515, 72523, 72525, 72528, 72543, 72547, 73077, 73089, 73301, 73303, 73311, 73313, 73315, 73325, 73329, 73399, 73409, 73449, 73469, 73479, 73489, 73517, 73519, 73523, 73524, 73543, 73547, 79315, 79351, 79637, 79689
<b>Title 21</b>		
06/02/10	AMEND: 1411.1, 1411.7	
01/21/10	ADOPT: 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652	02/24/10
<b>Title 22</b>		ADOPT: 97177.10, 97177.15, 97177.20, 97177.25, 97177.30, 97177.35, 97177.45, 97177.50, 97177.55, 97177.60, 97177.65, 97177.67, 97177.70, 97177.75, 97199.50, 97200
05/25/10	AMEND: 66262.44	
05/19/10	AMEND: 100159, 100166, 100171	
05/18/10	ADOPT: 100102.1, 100103.1, 100103.2, 100106.1, 100106.2, 100107.1 AMEND:	

	AMEND: 97170, 97172, 97174, 97176, 97178, 97180, 97182, 97184, 97186, 97188, 97190, 97192, 97194 (renumbered as 97199), 97196, 97198	03/26/10	AMEND: 10001
02/23/10	AMEND: 7000	02/25/10	ADOPT: 6200, 6201, 6202, 6203
01/27/10	AMEND: 4402.2, 4406, 4409, 4420, 4420.5, 4426	01/29/10	AMEND: 5000, 5001, 5002, 5010, 5011, 5012, 5013, 5020, 5020.5, 5021, 5022, 5023, 5023.5, 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5032, 5034, 5036, 5038, 5040, 5043, 5050, 5051, 5052, 5053, 5054, 5055, 5056, 5057, 5060, 5061, 5062, 5063, 5070, 5071, 5072, 5073, 5080, 5081, 5082, 5082.5, 5083, 5090, 5094, 5301, 5302, 5304, 5306, 5308, 5310, 5312, 5314, 5316, 5318, 5320, 5322, 5324, 5326, 5328, 5332, 5336, 5338, 5340, 5342, 5344, 5346, 5348, 5350, 5352, 5354, 5356, 5360, 5362, 5364, 5366, 5368 REPEAL: 5042
01/21/10	AMEND: 455.5–6, 455.5–7, 455.5–8		
<b>Title 22, MPP</b>			
03/04/10	ADOPT: 89475.1, 89475.2 AMEND: 89200, 89201, 89202, 89205, 89206, 89207, 89218, 89219, 89219.1, 89219.2, 89224, 89226, 89227, 89228, 89229, 89231, 89234, 89235, 89240, 89242, 89244, 89246, 89252, 89254, 89255, 89255.1, 89256, 89286, 89317, 89318, 89319, 89323, 89361, 89370, 89372, 89373, 89374, 89376, 89377, 89378, 89379, 89387, 89387.1 renumbered as 89387(h), 89387.2, 89388, 89400, 89405, 89410, 89420, 89421, 89465, 89468, 89469, 89475, 89510.1, 89510.2, 89565.1, 89566, 89569.1, 89572.2, 89587.1 REPEAL: 89245, 89261, 89570.1		
02/04/10	ADOPT: 84074 AMEND: 83074, 83087, 84087, 84274, 86074, 86087, 86574, 89374		
<b>Title 23</b>			
05/20/10	ADOPT: 2910 REPEAL: 2910		
03/10/10	AMEND: 3005		
03/04/10	ADOPT: 2631.2		
02/25/10	ADOPT: 3919.6		
02/24/10	ADOPT: 3919.7		
02/22/10	ADOPT: 2631.2		
01/26/10	AMEND: 3939.10		
<b>Title 25</b>			
05/25/10	AMEND: 7966, 7970		
		<b>Title 27</b>	
		04/09/10	ADOPT: 22100, 22101, 22103, Division 2 Form CalRecycle 114 AMEND: 20164, 21200, 21570, 21640, 21685, 21820, 21840, 21865, 21880, 22102, 22211, 22220, 22221, 22231, 22234, 22245, 22248, Division 2 Appendix 3, Division 2 form Calrecycle 100, Division 2 form Calrecycle 106
		03/10/10	AMEND: 25903
		<b>Title MPP</b>	
		06/02/10	AMEND: 19–005
		05/17/10	ADOPT: 31–021 AMEND: 31–003, 31–410, 31–501
		05/17/10	AMEND: 44–211
		05/10/10	AMEND: 11–425, 22–001, 22–003, 22–009, 45–302, 45–303, 45–304, 45–305, 45–306
		02/26/10	ADOPT: 31–021 AMEND: 31–003, 31–410, 31–501
		01/29/10	ADOPT: 91–101, 91–110, 91–120, 91–130, 91–140